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                    IN THE UNITED STATES DISTRICT COURT
                       FOR THE DISTRICT OF MARYLAND
 2
                            NORTHERN DIVISION
     UNITED STATES OF AMERICA,
 3
          Plaintiff,
 4
                                    CRIMINAL CASE NO. CCB-16-0267
          vs.
 5
     DANTE BAILEY, et al.,
          Defendants.
 6
 7
 8
                         Monday, April 8, 2019
                             Courtroom 1A
 9
                          Baltimore, Maryland
10
11
             BEFORE:
                      THE HONORABLE CATHERINE C. BLAKE, JUDGE
                      (AND A JURY)
12
13
                                 VOLUME XII
     For the Plaintiff:
14
15
     Christina Hoffman, Esquire
     Lauren Perry, Esquire
16
     Assistant United States Attorneys
17
     For the Defendant Dante Bailey:
18
     Paul Enzinna, Esquire
     Teresa Whalen, Esquire
19
20
21
22
                                Reported by:
23
                     Douglas J. Zweizig, RDR, CRR, FCRR
                      Federal Official Court Reporter
24
                     101 W. Lombard Street, 4th Floor
                        Baltimore, Maryland 21201
25
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     For the Defendant Randy Banks:
 2
     Brian Sardelli, Esquire
 3
     For the Defendant Corloyd Anderson:
 4
     Elita Amato, Esquire
 5
     For the Defendant Jamal Lockley:
 6
     Harry Trainor, Esquire
 7
 8
     For the Defendant Shakeen Davis:
 9
     Paul Hazlehurst, Esquire
10
     For the Defendant Sydni Frazier:
11
     Christopher Davis, Esquire
12
13
     Also Present:
14
15
     Special Agent Christian Aanonsen, ATF
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1 PROCEEDINGS (9:39 a.m.)2 Good morning, everyone. THE COURT: 3 All right. I know there are a number of issues. 4 5 Let me address one scheduling matter, first, which is 6 that Judge Russell's chambers has said we may have 1-A on 7 Thursday. We will be sitting in this trial here on Thursday. So other scheduling issue, Ms. Hoffman? 8 MS. HOFFMAN: Yes. So I did want to raise -- I 9 believe it was the week before last, Mr. Enzinna raised the 10 11 fact that he has a vacation planned to France. I believe it's next week. 12 13 And as I think Your Honor is aware, the Fourth Circuit has held in United States versus Boone that a defendant charged 14 15 with a death-eligible crime is entitled, under 18 United States Code, Section 3005, to representation by two 16 17 attorneys, regardless of whether the death penalty is actually 18 sought. And there is another Fourth Circuit case, 19 20 United States versus Robinson which held that under Boone, the 21 failure to provide the defendant with two attorneys throughout 22 trial was plain error, even though the Government withdrew its 23 notice of intent to seek the death penalty. So we are concerned about the possibility of an 24 appellate issue. And, of course, I do not want to ruin 25

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Mr. Enzinna's vacation to France. But, unfortunately, we do
 1
     have to note our objection to his absence. And if Your Honor
 2
     is inclined to excuse him for next week, what we ask is that
 3
     there be a Faretta-type hearing on the record in which
 4
 5
    Mr. Bailey is given an opportunity to waive the second counsel
     for next week.
 6
              THE COURT:
 7
                         Sure.
                                 And I thought that's exactly what
    we had arranged and that Mr. Enzinna -- I mean, counsel had
 8
     already had their conversations with Mr. Bailey.
 9
              But I think we should absolutely put that on the
10
11
     record and probably -- that's what we should do. That's fine.
              MS. HOFFMAN: Okay. Thank you.
12
              THE COURT: I don't know if you were ready to do that
13
     at this moment or we can do it at another appropriate time.
14
              MR. ENZINNA: Your Honor, I think we'd like a little
15
16
     more time to talk to my client.
17
              THE COURT:
                                 Okay.
                          Sure.
              All right. Other issues?
18
              MR. SARDELLI: Your Honor, just briefly, the
19
20
     Government made us aware that they intend to introduce through
21
     Agent Tim Moore an additional, quote/unquote, drive test
22
     related to cell phone --
23
              THE COURT: I'm sorry. An additional what?
              MR. SARDELLI: Drive test, I think they call it, where
24
     they drive around, I think, to help pinpoint locations for
25
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I think they call it a drive test, Your Honor.
 1
     cell phones.
                                 Yes.
 2
              THE COURT:
                          Okay.
              MR. SARDELLI: And that was done on April 5th, 2019.
 3
     I think -- I would object on the late disclosure to that,
 4
 5
     Your Honor. And I think that probably also is coming up
 6
     because of previous cross-examination by other defense
     counsels.
 7
              And it also brings up a concern about if we have
 8
     agents testifying on more than one occasion about whether or
 9
10
     not the Government is going to call an agent, then have them
11
     testify a second time in the middle of that prep or talk to
     them, I think that, you know, is an issue we need to be
12
     sensitive about, about the purity of the testimony, Your Honor.
13
14
              So those are really the two issues:
                                                    The late
15
     disclosure on the April 5th drive test and then whether or not
16
     the witness can meet with a witness who's testing [sic]
     multiple times in between their testimonies, Your Honor.
17
18
     those are the two things I would like to highlight for the
19
     Court.
20
              THE COURT:
                          Okay.
              Ms. Hoffman.
21
22
              MS. HOFFMAN: Your Honor, I think we did make it very
23
     clear before trial started that Agent Moore is one of two case
     agents for the case, and we will be calling him multiple times.
24
25
              Because he is a case agent, we can't avoid having
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discussions with him during trial. He has to be helping with transporting witnesses --

THE COURT: Sure.

MS. HOFFMAN: -- present for prep with witnesses. And so, unfortunately, we really can't avoid that and still have the trial run smoothly.

With respect to the drive test, it was conducted just a few days ago. I'm not aware of any rule or authority that would prevent us from asking Agent Moore to conduct additional investigation during the trial. It's a very simple drive test that he did from one cell site sector to another and basically two drives. He just measured the time that it took for him to drive from one distance to the other.

It is relevant to the Bangout murder to show that it is possible to drive from the last cell site sector to the murder scene and from the murder scene back to Mr. Bailey's residence within the times that those -- the phone hit those particular towers.

I don't expect it will be very lengthy testimony.

Of course, the defendants are able to, if they want to hire their own investigators to conduct a drive test, they're certainly capable of doing that.

And it's not -- there's no late disclosure. We, as a courtesy, provided a report, as soon as he conducted the drive test, to defense counsel. But we provided that as soon

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as the drive test was conducted. I don't see any -- I don't
 1
     think we're required to provide a report, but we did it as a
 2
     courtesy. So I don't think there's any late-disclosure issue.
 3
              THE COURT: When did you provide the report?
 4
 5
              MS. HOFFMAN: So Agent Moore conducted the drive test
     on April 5th, and I believe we asked him to write a report that
 6
 7
     night and then gave it to defense counsel the next morning.
              THE COURT: April 6th being Saturday?
 8
              MS. HOFFMAN: Yeah. I think he -- I think Agent Moore
 9
     wrote the report late Friday night, and we gave it to defense
10
11
     counsel the following morning.
              THE COURT: Okay. Do you need more time to
12
13
     investigate this drive test, Mr. Sardelli?
              MR. SARDELLI: Your Honor, the position is that it
14
15
     really relates more -- and I'll let the fellow defense counsel
     speak on this as well, because it impacts their client more
16
17
     than mine, but I'm still concerned because if my client's
18
     convicted at sentencing for relevant conduct and conspiracy and
19
     everything else, my client can still be held accountable for
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And I've just recently looked at this, Your Honor, and it does give us a very short suspense. If we were all wanting to get -- they mentioned getting our own experts. We'd have to look about getting our own expert, go through the CJA process and everything else, and I have not made a decision on that,

20

21

22

23

24

25

it, Your Honor.

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Your Honor, because I just got it this weekend.
 1
              THE COURT: Sure.
 2
              MR. SARDELLI: So I do think it puts us in a tough
 3
     position, and I'll let co-counsel talk a little bit more about
 4
 5
     for Mr. Bailey.
              THE COURT: Okay. Is Mr. Moore testifying
 6
     immediately?
 7
              MS. HOFFMAN: Agent Moore is testifying this morning.
 8
              He'll also be testifying at a future time, and so we
 9
     could have him testify about it at a later time.
10
              THE COURT: Yes.
11
                                He's not going to testify about that
     this morning while we can work this issue out.
12
              As far as the Government talking to him, the
13
     prohibition is against them talking to a witness -- him or any
14
15
     other witness, frankly, about testimony that they have already
16
     given.
              There is no prohibition against the Government
17
     speaking with someone, particularly someone designated as a
18
19
     second case agent, which is reasonable, given the size and
20
     complexity of this case, about other matters relating to the
21
     trial or even about future testimony.
22
              They just can't go back and discuss with him testimony
23
     that he's already given in an effort to try to get him to
     correct it.
24
25
              If you need more time to get an investigator -- I'm
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not sure it requires an expert to do this driving to see if you
 1
     agree with the accuracy of what sounds to me like a pretty
 2
    basic back-and-forth driving a car -- then we can certainly
 3
     talk about that.
 4
 5
              And I will say it's -- we should not have Agent Moore
     testify about the drive test today. That's not long enough.
 6
 7
              MR. ENZINNA: Your Honor, I just want to add -- make
     clear our objection --
 8
 9
              THE COURT:
                         Okay.
              MR. ENZINNA: -- on the same grounds.
10
11
              But also, this is a -- a couple of things.
              First of all, the distance between these two points is
12
     pretty clear to the jury. It's not something that requires an
13
     investigator to tell the jury about.
14
              Second, I question the relevance of a test that is
15
16
    being conducted at a different time of day and four years
17
     later.
              Agent Wilde testified that he didn't do a drive test
18
19
     of the cell towers because these things change over time, and
20
     so does traffic. And I question how accurate that drive test
21
     is.
22
                          I may have misunderstood. I didn't think
              THE COURT:
23
     this was to reinforce the accuracy of the cell site.
     simply -- it is as simple as: What's the distance between two
24
25
     points? Could be this tower. It could be that tower.
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measuring it between one tower, the other tower, and some other
 1
     location and simply saying how long -- how many miles it is --
 2
              MR. ENZINNA: It's not the distance.
 3
              THE COURT: -- and how long it took them to drive.
 4
 5
              MR. ENZINNA: It's the driving time.
 6
              THE COURT: And you're absolutely right. And I would
 7
     assume that's -- you know, that cross-examination, presumably,
    would be the same even if they had done the driving test some
 8
     other time.
 9
              It obviously was not performed at the time of the
10
11
     alleged murder. So you're always going to have that sort of
     cross-examination, which I assume you will still have.
12
              It's late and it's a different time and all kinds of
13
14
     things.
15
              Ms. Whalen.
16
              MS. WHALEN: I know we're getting late.
17
              I have some objections to evidence that I expect
18
     Agent Moore to testify about.
              THE COURT: Is he the first witness up?
19
              MS. HOFFMAN: He is the second, but the first will be
20
    very quick.
21
22
                          Okay. All right. Ms. Whalen, go ahead.
              THE COURT:
23
              MS. WHALEN: Shall I proceed?
              All right. Your Honor, first, GP-13-B -- and I'll --
24
25
              MS. HOFFMAN:
                            Teresa, I might be able to save you some
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time on 13 . . .
 1
 2
              MS. WHALEN: Oh, great.
              MS. HOFFMAN: So this is -- 13-B is actually -- it was
 3
    not recovered by Agent Moore, and he won't be testifying about
 4
 5
     it now.
 6
              MS. WHALEN:
                           Okay.
              MS. HOFFMAN: But I think 12 -- the 12 series he will
 7
    be.
 8
 9
              MS. WHALEN: All right. This is fairly quick,
     Your Honor.
10
11
              12-B, the second page, it's a letter purportedly
    written by my client. I'd ask that this be redacted down at
12
13
     the bottom of the second page, "extra clip." I assume that's
     [reading]: F-U-C-K this case, something, matter. What
14
15
    happens, I'll be a legend.
16
              First of all, I don't think it's relevant to anything.
17
     It simply just goes to his character. And presumably, the
18
     inference is that he doesn't care about this case, although
19
     this could have been written when there was the
20
     Baltimore County case. So I think there's confusion that this
21
     should not go before the jury.
              THE COURT: Can I see the rest of the -- do we have a
22
23
    paper copy?
              MS. WHALEN: Would you like me to hand it to you or
24
25
     just show it --
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That would be great.
 1
              THE COURT:
                          Sure.
 2
              MS. WHALEN:
                           (Handing.)
                         I'm trying to see where that asterisk clip
              THE COURT:
 3
     fits in.
 4
 5
              THE CLERK:
                          (Handing.)
              THE COURT: Does it say anywhere, "extra clip"?
 6
     There's an asterisk?
 7
          (Counsel conferred.)
 8
              MS. WHALEN: I'm sorry, Your Honor. I didn't hear
 9
     that.
10
11
              THE COURT:
                         I don't see any -- I was looking to see
     just the first line that has -- it says, "Extra clip,
12
     asterisk." I was wondering whether it fit into any other part
13
     of the letter, but I'm not --
14
15
              MS. WHALEN: I couldn't tell that it did.
16
              THE COURT: Okay.
17
              Okay. Ms. Hoffman, do you want to be heard on why we
     shouldn't just redact those four lines at the end -- five
18
19
     lines.
20
              MS. HOFFMAN: Your Honor, I do think it goes to
21
     consciousness of guilt. It's actually part of an overt act in
     the indictment.
22
              You know, I do think it indicates consciousness of
23
     quilt, and I was planning to have the agent testify about it.
24
25
              If Your Honor rules that it shouldn't come in,
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unfortunately, it's difficult to make redactions on
 1
     TrialDirector quickly, so I would have to -- I wouldn't be able
 2
     to put it up on the -- I quess I could redact a paper copy and
 3
     then use the ELMO.
 4
 5
              THE COURT: You can use the ELMO, yes.
              I grant the request. I don't see that that's
 6
 7
    particularly relevant.
              MS. WHALEN: I've taken the time now to talk a little
 8
    bit more.
 9
              There is SW-5-J is a certificate of marriage of my
10
     client -- no. Excuse me -- Tiffany and Dante. She has
11
     indicated she will redact like "divorced" and that kind of
12
     thing. I think the relevance is just to show they live there.
13
              MS. HOFFMAN: Yeah.
14
              MS. WHALEN: But I think there will be testimony that
15
16
     they were there at the time of the search warrant.
17
          (Counsel conferred.)
              MS. WHALEN: I think we've just resolved that. There
18
19
    will be some testimony, but not the photo.
20
              Search Warrant 5-I is -- I think this is a -- well,
21
    Maryland Division of Correction identification. I just don't
     see the relevance of that, and I would object.
22
23
                         Okay. Why do we need that?
              THE COURT:
              MS. HOFFMAN: I think -- this is -- and same for the
24
     marriage certificate. I can just elicit testimony from
25
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Agent Moore about the fact that he found identification for the
 1
     residence without showing the photo of this identification.
 2
              THE COURT: All right.
 3
              MS. WHALEN: And then this is Jail Call 61-T.
 4
 5
              Your Honor, we would object to the entire call.
     in the event that the Government feels that there's something
 6
     relevant that they need to show in this call --
 7
              THE COURT: I'm sorry. What page?
 8
              MS. WHALEN: Oh, I'm sorry. I don't have the exact
 9
10
    page.
11
              THE COURT:
                         All right. You said 61-T?
12
              MS. WHALEN: 61-T.
              THE COURT: Let me look for it.
13
              MS. PERRY: I believe it's Page 202 of the transcript
14
    binder.
15
16
              MS. WHALEN: Thank you.
17
              THE COURT:
                         202. Okay.
              MS. WHALEN: So if you look at Page 2 of this jail
18
19
     call, this is basically Tiffany Bailey and Dante Bailey talking
20
     about, I think, the gas station being shut down and media
21
     attention on the gas station.
              And Tiffany says [reading]: Went against what they
22
23
     did. 16 shootings.
              Above that she is retelling what the media said.
24
              First of all, we don't have any evidence of 16
25
```

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shootings, so I think that this is particularly prejudicial.
 1
              It's also her retelling something that the media said,
 2
     so we don't have any evidence of the reliability of the
 3
     hearsay.
 4
 5
              THE COURT:
                         Right.
              MS. WHALEN: Then going down farther, it says
 6
     [reading]: 16 shootings, robbery, and murder.
 7
              And on Page 3, three-quarters of the way down,
 8
     Tiffany Bailey says [reading]: No. When they -- when they
 9
10
     went into the gas station, they claimed they found guns and
11
     stuff. They got that video on the news.
              Again, I don't believe there will be any testimony
12
     about that. My client had been incarcerated for quite a while,
13
     and so I'd ask that either the entire call be not played or it
14
15
    be redacted.
16
              THE COURT: Okay. Ms. Hoffman.
17
              MS. HOFFMAN: So the relevance of this call is on
18
    page -- it's Page 204. So after Ms. Bailey has explained that
19
     they've shut the gas station down because of shootings,
20
     robbery, murder, it's about a third of the way down on the page
21
     on 204, Dante Bailey says [reading]: They got everything.
22
              And so the significance of that is that he seems to be
     acknowledging that the law enforcement have uncovered the
23
     criminal activity that he and his gang are responsible for.
24
25
              And so we do think that that's relevant, that he's --
```

by saying that, that he's basically taking ownership of the criminal activity that Ms. Bailey is talking about.

The incident on the news about the finding the guns in the gas station is, we believe, the same incident that

Detective Villafane testified about with respect to the arrest of the four individuals in the gas station and the recovery of guns and the video of one of the individuals, Jerard Walker, passing the gun through the turnstile to the clerk.

THE COURT: Okay. All right. Well, then I'm going to grant the motion to not just play this call at all.

I think trying to read into that one exchange between Mr. Bailey and Mrs. Bailey that they got everything, that somehow that would be attributable, meaning that all the shootings, guns, robberies, murders, whatever are being owned by Mr. Bailey is quite a stretch.

And what was happening at the gas station otherwise, according to news reports, seems to be not really admissible evidence. So I don't think we need that call.

MS. AMATO: Good morning, Your Honor.

THE COURT: Yes.

MS. AMATO: I have one matter that I wanted to raise that I object to.

The Government informed me that they would be playing, through Agent Moore, a short video clip. I believe it's SM-6-C, and it is a clip where my client and Mr. Bailey are

```
basically playing cards. They're at a table, and they're
 1
    playing cards.
 2
              And I'm not quite sure what the relevance is.
 3
                                                             I mean,
     the Government has clearly established the connection
 4
 5
    between -- an association between Mr. Bailey and Mr. Anderson.
     So I don't -- I think at this point it's cumulative unless they
 6
 7
     have something else that they would like to express that is
     shown in this video.
 8
              THE COURT: Okay.
 9
                            The video is relevant because it shows
10
              MS. HOFFMAN:
11
    Dante Bailey and Corloyd Anderson sitting together, and there's
     a stack of cell phones on the table next to them. And the
12
     reason for -- it's a very short video, but there will be
13
     evidence that Mr. Anderson used many different cell phone
14
15
              And him sitting next to Dante Bailey with a stack of
16
     cell phones on the table next to them is relevant in that
17
     respect.
              THE COURT: Okay. Sufficiently relevant, not
18
19
    prejudicial.
                   It's fine.
20
              MS. AMATO: Your Honor, I was just going to say that
     there's a photograph -- when they searched Mr. Anderson's
21
22
     residence, there are three phones that they seized. So they
     obtained the information in another manner as well.
23
              THE COURT: Your objection is noted and overruled.
24
25
              Anybody else?
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1
          (No response.)
                         Okay. Let's get the jury.
 2
              THE COURT:
          (Jury entered the courtroom at 10 o'clock a.m.)
 3
              THE COURT: Welcome back, ladies and gentlemen.
 4
 5
                     Good morning.
              JUROR:
              JUROR:
                      Good morning.
 6
                         And I think we're ready for a witness.
 7
              THE COURT:
              MS. PERRY: The Government calls Dr. Donna Vincenti.
 8
              THE CLERK: Please raise your right hand.
 9
            DONNA VINCENTI, M.D., GOVERNMENT'S WITNESS, SWORN.
10
              THE CLERK: Please be seated.
11
              Please speak directly into the microphone. State and
12
     spell your full name for the record, please.
13
              THE WITNESS: Donna Vincenti, D-O-N-N-A,
14
     V-I-N-C-E-N-T-I.
15
16
              THE CLERK: Thank you.
17
              THE WITNESS: You're welcome.
                   DIRECT EXAMINATION ON VOIR DIRE
18
     BY MS. PERRY:
19
          Good morning.
20
         Good morning.
21
     Α.
         Where do you work?
22
         At the Office of the Chief Medical Examiner for the State
23
     of Maryland.
24
          And what is your title there?
25
```

- 1 A. I am an Assistant Medical Examiner.
- 2 Q. How long have you been a Medical Examiner?
- 3 **A.** Approximately 12 years.
- 4 Q. And can you tell us about your educational background.
- 5 A. Yes. So I received my undergraduate degree from
- 6 St. Mary's College of Maryland, my medical degree from
- 7 Ross University School of Medicine, and then I went to
- 8 Albany Medical Center in New York for my pathology residency
- 9 and then the Office of the Chief Medical Examiner for the State
- 10 of Maryland in Baltimore for my forensic pathology training.
- 11 Q. And can you tell us what forensic pathology is, just
- 12 briefly.
- 13 **A.** Sure. So pathology, in general, is the study of diseases
- 14 and disease processes. So we do that in forensic pathology in
- 15 addition to documenting and interpreting trauma.
- 16 **Q.** Do you have any certifications?
- 17 **A.** Yes.
- 18 Q. Can you explain.
- 19 **A.** I am Board-certified in anatomic and forensic pathology.
- 20 **Q.** And in your time as a Medical Examiner, approximately how
- 21 | many autopsies have you conducted?
- 22 **A.** Right now, it's a little over 4700.
- 23 | Q. Have you ever been qualified as an expert in forensic
- 24 pathology?
- 25 **A.** Yes.

- 1 Q. Can you tell us how many times and in what courts.
- 2 A. I've qualified 125 times, approximately. That's in
- 3 | 15 counties in Maryland; Washington, D.C.; and federal court
- 4 | here in the city and in Greenbelt.
- 5 MS. PERRY: Your Honor, at this time I would offer
- 6 Dr. Vincenti as an expert in forensic pathology.
- 7 THE COURT: Any objections or questions?
- 8 MS. WHALEN: No.
- 9 THE COURT: All right. Based on the witness's
- 10 | education and training and experience, I will find her
- 11 qualified to give opinion testimony in the field of forensic
- 12 pathology.
- 13 You may proceed.
- 14 MS. PERRY: Thank you.
- 15 DIRECT EXAMINATION
- 16 **BY MS. PERRY:**
 - **Q.** Doctor, what is the purpose of an autopsy?
- 18 **A.** The purpose of an autopsy is to determine cause and manner
- 19 of death.

17

- 20 **Q.** And what is the procedure you use to conduct an autopsy?
- 21 A. Well, we start out with an external examination, which
- 22 | includes photographs, gathering any evidence, and documenting
- 23 | what we see on the outside of the body, anything from hair
- 24 | color to scars to injuries.
- 25 We then proceed to the internal examination, which means

- 1 | we look at the organs inside of the body, including the brain,
- 2 looking for any natural disease and/or injury.
- We then write a report that reflects those findings and
- 4 make a determination for cause and manner of death.
- 5 Q. And did you conduct an autopsy on an individual named
- 6 Anthony Hornes on April 29th of 2016?
- 7 **A.** Yes.
- 8 Q. And did you follow the procedures you just described in
- 9 this case?
- 10 **A.** Yes.
- 11 Q. Did you write a report based on your findings?
- 12 **A.** I did.
- 13 Q. So I'm going to approach and show you what's been marked
- 14 | for identification only as Government's Exhibit AUT-4.
- 15 (Handing.)
- 16 A. Thank you.
- 17 Q. Do you recognize this document?
- 18 **A.** Yes.
- 19 **Q.** And what is it?
- 20 **A.** This is the copy of the autopsy report on Mr. Hornes in
- 21 addition to the toxicology report on Mr. Hornes.
- 22 | Q. Were pictures taken during the course of the autopsy of
- 23 Mr. Hornes to document what you found?
- 24 **A.** Yes.
- 25 Q. And in the course of your autopsy, did you find evidence

- 1 of injury to Mr. Hornes?
- 2 **A.** Yes.
- 3 **Q.** What type of injury?
- 4 A. He had a through-and-through gunshot wound of the head.
- 5 **Q.** What is a through-and-through gunshot wound?
- 6 A. A through-and-through gunshot wound indicates that there
- 7 is an entrance and an exit. The bullet has gone in the body
- 8 and then out of the body, usually meaning there's no ballistic
- 9 evidence or bullets to recover.
- 10 **Q.** So in this case did you recover any ballistic evidence?
- 11 **A.** No.
- 12 | Q. So I want to show you Government's Exhibit AUT-4-A.
- Can you tell us what we're looking at here.
- 14 **A.** Yes. This is what's known as an identification
- 15 | photograph. In this case it's an identification photograph of
- 16 Mr. Hornes.
- 17 Q. Turning to AUT-4-B.
- 18 What are we looking at here?
- 19 **A.** So this is a picture of the right side of Mr. Hornes'
- 20 | face. Right in the center of the picture between the ruler and
- 21 his eye, there is a hole in his cheek. And that is a gunshot
- 22 entrance wound.
- 23 Q. And turning now to AUT-4-C.
- What are we looking at here?
- 25 **A.** So this is a picture of the left side of Mr. Hornes' head.

As you can see, his ear has been pulled forward a little bit so that you can see the hole that's behind his ear, which is the qunshot exit wound.

- Q. Was there any evidence of close-range firing in this particular case?
- 6 A. There was.

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- 7 Q. Can you describe.
- A. Yes. There was rare stippling on the right side of theface near the entrance wound.
- 10 Q. And can you tell us what that means.
- 11 A. Yes. When we are examining the skin around an entrance
 12 wound, a gunshot entrance wound, we're looking for any signs of
 13 soot or stippling to give us an indication of close-range
 14 firing of a gun.

So soot would be like a black, powdery material around the hole. And that is burnt gunpowder that has come out of the muzzle of the gun with the bullet and deposited on the skin surface.

Stippling is a little different. That is when either burning or unburnt gunpowder has come out and it has struck the skin and left little punctate abrasions around the entrance wound.

In this case we had a few, two to three areas of gunpowder stippling, so little punctate abrasions that would indicate that the muzzle of the gun was fairly close.

- Q. And you said it was rare stippling in this case. What did that indicate to you?
- 3 A. Well, when we're looking at stippling or if you see
- 4 | stippling on the skin, textbooks would tell you that that could
- be anywhere from, like, half an inch to about 2 feet where the
- 6 muzzle is from the skin.
- When the stippling gets more spread out, or in this case rare stippling, it's closer to that 2-feet range.
- 9 Q. Doctor, did you also do a toxicology report on Mr. Hornes?
- 10 A. I did present his fluids for our toxicology department to
- 11 prepare a report.
- 12 **Q.** And was there anything in the toxicology?
- 13 A. His toxicology was negative for drugs and alcohol.
- 14 Q. Doctor, have you formed an opinion as to the cause of
- 15 | death of Mr. Hornes?
- 16 **A.** Yes.
- 17 **Q.** What is that?
- 18 A. A gunshot wound to the head.
- 19 **Q.** And have you formed an opinion as to the manner of death?
- 20 **A.** Yes.
- 21 **Q.** And what is that?
- 22 A. Homicide.
- 23 MS. PERRY: Thank you. I have nothing further.
- 24 **THE COURT:** Any questions?
- 25 (No response.)

```
1
              THE COURT:
                          Okay.
                                 Thank you very much, Doctor.
 2
              THE WITNESS:
                            Thank you.
              THE COURT: You are excused.
 3
          (Witness excused.)
 4
 5
              MS. HOFFMAN: Your Honor, at this point the Government
 6
     calls Special Agent Tim Moore.
                         All right.
 7
              THE COURT:
              THE CLERK: Agent Moore, you're still under oath.
 8
 9
              THE WITNESS: Yes, ma'am.
            SPECIAL AGENT TIMOTHY MOORE, GOVERNMENT'S WITNESS,
10
11
     PREVIOUSLY SWORN.
12
                            DIRECT EXAMINATION
     BY MS. HOFFMAN:
13
          Good morning, Agent Moore.
14
     Q.
15
     Α.
          Good morning, ma'am.
16
          I believe you testified last Thursday that you're one of
17
     the case agents for the MMP investigation; is that right?
18
          Yes, ma'am.
     Α.
          I want to direct your attention to May 3rd of 2016.
19
     something of significance happen during the investigation on
20
     that day?
21
22
                On that date, we became aware that Mr. Bailey had
23
     posted an Instagram video to his Instagram account, which was
     5almighty gang2.
                       The content of that video was him and his
24
25
     wife, Tiffany Bailey, firing firearms in an indoor firing
```

- 1 range.
- 2 Q. And -- I'm sorry. I believe you just said this, but what
- 3 was the Instagram name?
- 4 A. 5almighty gang2.
- 5 Q. Were you able to determine the user of that account?
- 6 A. It's Mr. Bailey.
- 7 **Q.** And how were you able to determine that?
- 8 A. The vast majority of photos and posts were of him or by
- 9 him.
- 10 MS. HOFFMAN: Pursuant to a stipulation between the
- 11 parties, I'd like to read into the record
- 12 | Government's Exhibit Stip 2.
- 13 **THE COURT:** All right.
- MS. HOFFMAN: And it reads [reading]: It is agreed
- 15 and stipulated by the parties that prior to May 3rd, 2016, the
- 16 defendant, Dante Bailey, was convicted in federal court of a
- 17 | crime punishable by imprisonment for a term exceeding one year
- 18 and that his civil rights have not been restored.
- 19 **BY MS. HOFFMAN:**
- 20 **Q.** Agent Moore, were you aware of Mr. Bailey's prior
- 21 | conviction when you saw that video?
- 22 A. Yes, I was.
- 23 Q. Were you able to determine what firing range Dante Bailey
- 24 | had been to?
- 25 **A.** Yep. It's Continental Arms up in Timonium, Maryland.

- 1 Q. And were investigators able to retrieve certified business
- 2 records from Continental Arms?
- 3 **A.** They were. They went the next day, on May 4th.
- 4 Q. I'm going to show you Government's Exhibit MISC-1. And
- 5 I'm going to go to Page 2 here.
- 6 Do you see that there appear to be a couple of receipts
- 7 here?
- 8 A. Yes, ma'am.
- 9 Q. And I want to direct your attention to the receipt on the
- 10 | right, and let's see if I can zoom in.
- 11 Are you able to read on your screen -- tell me if it's too
- 12 | small.
- Are you able to read the date on the top left?
- 14 \mathbf{A} . It's a little small, but the date appears to be 5/3/2016.
- 15 Q. Let's see if I can get a better zoom.
- 16 A. There you go.
- 17 Q. And can you read the name of the business there.
- 18 A. Yep. It's Continental Arms, LLC, 9603 Deereco Road,
- 19 Suite 500.
- 20 Q. Can you read the name of the patron.
- 21 A. Yep. It's Dante Bailey.
- 22 Q. I'm going to zoom in here.
- 23 And can you tell us the -- what this receipt indicates was
- 24 purchased.
- 25 **A.** Yes. So they got something to drink. They have to pay a

- 1 | fee to use the handguns from the range. And then there was
- 2 | three different -- there was a -- 9-millimeter and .45-caliber
- 3 ammunition purchased, as well as targets.
- 4 | Q. And is ammunition at the range purchased or rented?
- 5 A. Purchased.
- 6 Q. And then do you see at the bottom left there seem to be
- 7 | firearms listed there.
- 8 A. Yep. Those are the three firearms that they rented that
- 9 day.
- 10 Q. And can you read those for us.
- 11 A. Yep. It was a Ruger SR22, a Beretta 92FS, and a
- 12 Springfield XDM45.
- 13 | Q. I'm going to zoom in on the left-hand side receipt here.
- 14 Can you read the date on that receipt.
- 15 **A.** It's February 16th of 2013.
- 16 Q. And can you read the patron name there.
- 17 **A.** It's, again, Dante Bailey.
- 18 Q. I'm going to scroll down to Page 3.
- Can you tell us what we're looking at here -- let me zoom
- 20 in.
- 21 A. That's the waiver form that Continental Arms uses for
- 22 | everybody that comes in to rent guns and shoot at the range.
- The first time that somebody comes to the -- to the
- 24 | business, you fill the form out. Subsequent to that first
- 25 | time, you just have to show an ID to show that you're that --

- 1 | the person you say you are.
- 2 Q. And can you tell us whose ID we're looking at on this
- 3 third page.
- 4 A. This one is for Tiffany Bailey.
- 5 | Q. I'm going to zoom in down here. Can you tell us the date
- 6 listed there.
- 7 **A.** That's May 3rd, 2016.
- 8 Q. And I'm going to zoom in on the address. Can you tell us
- 9 the address listed there.
- 10 A. Yep. That's 3901 Princely Way.
- 11 Q. Do you see that there's a section here [reading]: I rate
- 12 | my previous experience with firearms as?
- 13 A. Yes; and she checked novice to each of those, handgun,
- 14 | rifle, and shotgun.
- 15 Q. I'm going to scroll now to Page 4 of this exhibit.
- And can you tell us whose identification we're looking at
- 17 here.
- 18 **A.** That's Mr. Dante Bailey.
- 19 Q. And I want to scroll down on the signature and date.
- 20 Can you tell us the date there.
- 21 **A.** It's, again, February 16th, 2013.
- 22 | Q. And what's the significance of that date?
- 23 **A.** That's the first time he went there.
- 24 **Q.** Can you read where it says [reading]: Renting firearm:
- 25 | Caliber."

- 1 **A.** That was going to be a 9-millimeter.
- 2 Q. And then do you see the section [reading]: I rate my
- 3 previous experience with firearms as?
- 4 | A. He checked intermediate for handgun and beginner for rifle
- 5 and shotgun.
- 6 Q. Then do you see that there's a question here [reading]:
- 7 Have you ever been convicted of any crime punishable by more
- 8 than one year?
- 9 A. Yes. And he initially checked "yes" and then scribbled it
- 10 out, checked "no," and initialed next to it.
- 11 Q. And to be fair, do you know, based on looking at this,
- 12 | what order that was done in?
- 13 **A.** No.
- 14 Q. Was surveillance footage recovered from Continental Arms?
- 15 A. Yes, it was.
- 16 Q. I'm going to approach and show you
- 17 Government's Exhibit SF-9.
- 18 (Handing.)
- 19 Do you recognize that exhibit?
- 20 **A.** I do. That's the footage.
- 21 | Q. And I'm going to play you a few short clips, starting with
- 22 Government's Exhibit SF-9-A.
- 23 (Video played.)
- 24 BY MS. HOFFMAN:
- 25 Q. Do you recognize the people in this video?

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- 1 A. Yep. That's Mr. Bailey there to the right -- well, left
- of the counter, the right side, and that's his wife,
- 3 | Tiffany Bailey, to the left.
- 4 Q. And, for the record, can you explain what just happened
- 5 there.
- 6 A. Yep. That's footage of them renting one of the firearms
- 7 and purchasing the targets. I think you can see they put the
- 8 ear protection on, and they're heading into the range.
- 9 Q. And I'm going to play you Government's Exhibit SF-9-B.
- 10 (Video played.)
- 11 BY MS. HOFFMAN:
- 12 Q. And can you tell us who we're looking at here.
- 13 **A.** That's Mr. Bailey again.
- 14 Q. And what does he have in his hand?
- 15 A. He's got a firearm in his hand. And he's about to -- I
- 16 | believe it's the same video -- select another firearm to go
- 17 shoot.
- 18 Q. And I'm going to see if I can skip ahead a little bit
- 19 here.
- 20 And can you tell us what's happening here.
- 21 A. That's a new firearm and the new ammo for that firearm.
- 22 | Q. And I'm now going to play you Government's Exhibit SF-9-C.
- 23 (Video played.)
- 24 BY MS. HOFFMAN:
- 25 Q. Can you tell us who we're looking at here.

- 1 A. That's Mr. Bailey again, and this time he's grabbing a new
- 2 target and a new firearm.
- 3 Q. And I apologize. I should have asked you: For each of
- 4 | these, what is the date on the top left?
- 5 **A.** Oh, for each it's May 3rd, 2016.
- 6 Q. Were the firearms from Continental Arms recovered?
- 7 **A.** Yeah. July 21st, 2016, I went back there with another
- 8 agent, and we -- we gave Continental Arms \$1,459 in ATF
- 9 currency in exchange for the three firearms that Mr. Bailey had
- 10 rented.
- 11 Q. And I'm going to approach and show you Government's
- 12 Exhibit F-18.
- 13 (Handing.)
- 14 A. Thank you.
- 15 Q. Can you tell us what you're looking at there.
- 16 A. That's the Ruger 22.
- 17 | Q. And would you mind reading the serial number on the gun
- 18 for the record.
- 19 **A.** Yep. It's 363-75990.
- 20 **Q.** And I'm going to show you Government's Exhibit F-18-A.
- 21 What are we looking at here?
- 22 A. That's the same weapon.
- 23 **Q.** I'm going to approach and show you
- 24 Government's Exhibit F-19.
- 25 (Handing.)

- Can you tell us what you're looking at there.
- 2 A. Yep. This is the Springfield Arms XDM45.
- 3 Q. And can you read the serial number on the gun for the
- 4 record.
- 5 A. Yep. It's M, as in Michael; G, as in George; 500105.
- 6 Q. And I'm going to show you Government's Exhibit F-19-A.
- 7 What are we looking at there?
- 8 A. That's the same firearm.
- 9 Q. And I'm going to approach and show you
- 10 Government's Exhibit F-32.
- 11 (Handing.)
- I apologize. That should be Government's Exhibit F-33.
- What are you looking at there?
- 14 A. This is the Beretta.
- 15 Q. And can you read the serial number for the record.
- 16 A. Sure. B, as in boy; E, as in Edward; R, as in Robert,
- 17 | 659285.
- 18 **Q.** Did you test-fire these weapons?
- 19 A. Yes, we did.
- 20 **Q.** Were they operable?
- 21 A. They were.
- 22 Q. As a result of your investigation, did you apply for a
- 23 | search warrant at Dante Bailey's residence?
- 24 A. Yes, we did.
- 25 Q. And where was the address of his residence at the time?

- 1 A. 7607 Reserve Circle, Apartment 203.
- 2 Q. Did you assist with the execution of the search warrant?
- 3 A. Yes, ma'am.
- 4 **Q.** And when was the search warrant executed?
- 5 **A.** It was May 17th, 2016.
- 6 Q. Who, if anyone, was located inside the residence?
- 7 A. Mr. Bailey, Ms. Bailey, their juvenile son, and they had
- 8 | an infant son.
- 9 Q. Did you recover any evidence from the residence?
- 10 **A.** We did.
- 11 **Q.** And can you give us a general overview of what was
- 12 recovered.
- 13 **A.** There was a gross weight of approximately a hundred grams
- 14 of a mixture containing heroin from the bedroom; a number of
- 15 | cell phones, one of which was Ms. Bailey's, one of which was
- 16 Mr. Bailey's. That was found in a pair of men's pants, like
- 17 | the front pocket of men's pants.
- 18 There was paperwork found in the master bedroom and in the
- 19 living room and some other, like, clothing, various clothing
- 20 | and hats. Some of them said "Black Blood," and some shirts had
- 21 "Black Blood" on them also.
- 22 | Q. And, Agent Moore, you do have a habit of talking fast.
- 23 **A.** Sorry.
- 24 Q. If you could slow down a little bit.
- 25 Where in the residence did you say the suspected heroin

- 1 was recovered?
- 2 **A.** Master bedroom, to the right of the bed.
- 3 Q. Were photographs taken during the course of the
- 4 search warrant?
- 5 **A.** Yes.
- 6 Q. I'm going to show you Government's Exhibit SW-5-A.
- 7 What are we looking at here?
- 8 A. The front door.
- 9 Q. And I'm going to show you SW-5-B.
- 10 What are we looking at here?
- 11 **A.** That's the master bedroom.
- 12 **Q.** SW-5-C.
- What are we looking at here?
- 14 **A.** That's a photo of Mr. and Mrs. Bailey.
- 15 | Q. And can you see what Ms. Bailey's shirt says.
- 16 A. Yep. "Double time" and "Gutta."
- 17 **Q.** SW-5-D.
- 18 What are we looking at here?
- 19 **A.** That's the heroin that was found inside a paper bag.
- 20 | Q. And where in the master bedroom was it?
- 21 **A.** If you're looking at the bed, from the doorway it's to the
- 22 | right.
- 23 Q. I'm going to show you SW-5-E.
- 24 What are we looking at here?
- 25 **A.** That's the same drugs, just laid out.

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- 1 Q. And I'm going to approach and show you
- 2 Government's Exhibit D-18.
- 3 (Handing.)
- 4 Can you tell us what you're looking at there.
- 5 **A.** That is the neatly packaged version of what's on the
- 6 screen.
- 7 | Q. And was the drug evidence submitted to the laboratory for
- 8 testing?
- 9 A. Yes, ma'am.
- 10 Q. And you may have already mentioned this, what was the
- 11 | approximate total weight?
- 12 **A.** The gross weight was about a hundred grams.
- 13 Q. I'm going to show you Government's Exhibit SW-5-F.
- 14 What are we looking at here?
- 15 **A.** It's a small plastic container with marijuana.
- 16 **Q.** And SW-5-G.
- 17 What are we looking at here?
- 18 A. Same thing, just opened.
- 19 **Q.** SW-5-H.
- What are we looking at here?
- 21 A. That's one of the cell phones found in the master bedroom,
- 22 I believe.
- 23 **Q.** And SW-5-K.
- What are we looking at here?
- 25 | A. That is various paperwork that we found.

I'm going to show you SW-5-L. 1 Q. What are we looking at here? 2 A bunch of photographs. 3 Α. 4 SW-5-M. Q. 5 What are we looking at here? 6 Two hats, one which says "Black Blood," one which says Α. "Mobb." 7 8 Q. SW-5-N. 9 What are we looking at here? A T-shirt that says "GMG Team Cash 5200." 10 Α. 11 Q. SW-5-0. What are we looking at here? 12 That's the "Black Blood" T-shirt. 13 Α. SW-5-P? 14 Q. 15 That is a "GMB1000" T-shirt. Α. 16 Q. SW-5-Q. 17 What are we looking at here? 18 That's a handheld digital scale. Α. 19 SW-5-R. 20 What are we looking at here? 21 That's another cell phone in the bathroom. Α. 22 SW-5-S. Q. 23 What are we looking at here? That's another cell phone that was found in the kitchen. 24 25 And SW-5-T.

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```
What are we looking at here?
 1
          That's a picture of other photographs of Mr. Bailey and
 2
     Α.
     some of his associates.
 3
          I'm going to approach and show you
 4
 5
     Government's Exhibit CELL-1.
          (Handing.)
 6
 7
          Can you tell us what we're looking -- what you're looking
     at there.
 8
                That's Mr. Bailey's cell phone.
 9
          Yep.
          And where did you say the cell phone was recovered?
10
11
          It was in a pants pocket of a male pair of pants.
          And I'm going to approach and show you
12
     Government's Exhibit CELL-13.
13
14
          (Handing.)
          And can you tell us what we're looking at there.
15
                That's going to be a consent-to-search form.
16
                                                                That
     day when we -- Mrs. Bailey asked if we were taking her
17
     cell phone, and I told her that we were and we would need to
18
     search it with a search warrant.
19
          And she -- we had a discussion, and she said that -- she
20
     said she would prefer that she just give us consent in order to
21
     get her phone back faster, so we had her sign this form.
22
```

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Was there a vehicle located outside the residence?

And was the phone eventually returned to her?

23

24

25

Yes, it was.

- 1 A. Yes, there was.
- 2 0. And what vehicle was it?
- 3 **A.** It was a black Honda Accord, I believe.
- 4 Q. Was the vehicle searched?
- 5 A. It was.
- 6 Q. And what, if anything, did you recover from inside the
- 7 vehicle?
- 8 A. From the trunk, there were -- I believe it was three
- 9 firing range targets that had been used. From the front
- 10 passenger compartment, like up by the seat, there was court
- 11 paperwork in the name of Randy Banks and some bail payment
- 12 receipts.
- 13 | Q. And you said "court paperwork in the name of Randy Banks."
- 14 Was there a subject of your investigation with the name
- 15 Randy Banks?
- 16 A. Sorry. That's Mr. Banks, yes.
- 17 **Q.** And is -- can you point him out, for the record.
- 18 | A. He's sitting at the -- kind of the corner there in the
- 19 | gray sweatshirt -- sweater (indicating).
- 20 **Q.** Now, you mentioned that there was paperwork recovered from
- 21 | the residence. I'm going to approach and show you for
- 22 | identification only Government's Exhibit GP-12.
- 23 (Handing.)
- 24 What do you have in front of you there?
- 25 **A.** This is all the paperwork that was received -- recovered

- 1 from the search warrant that day.
- 2 Q. And I'm going to now approach and show you
- 3 | Government's Exhibit GP-12-B. Actually, I'm going to put it up
- 4 on the ELMO here.
- 5 (Counsel conferred.)
- 6 BY MS. HOFFMAN:
- 7 Q. Do you recognize this exhibit?
- 8 **A.** Yes, I do.
- 9 Q. I want to -- well, can you tell us what it is.
- 10 A. It's -- it's a letter that was -- it's one of the
- 11 documents that was recovered that day.
- 12 Q. I'm going to flip to Page 2 of this exhibit.
- 13 And can you tell us who it is signed by.
- 14 | A. It's signed by Almighty, and that was one of the -- the
- 15 | nicknames that Mr. Bailey went by.
- 16 | Q. I'm going to go back to Page 1. And I'm going to ask you
- 17 | to read -- can you read it okay up there?
- 18 **A.** Yeah, if you zoom in a little bit. Yep.
- 19 **Q.** Can you read that for us.
- 20 **A.** Sure. [Reading]: As a reflection of us, you have failed
- 21 | to follow the protocol I embedded in you by my actions. You
- 22 | have disrespected [sic] the Ru-Print's five-step process --
- 23 | five step program. Excuse me.
- 24 Q. And I'm not going to have you read all of this, but I'm
- 25 | going to skip down. Can you read this section that I'm

- 1 highlighting here.
- 2 A. Yep. [Reading]: A made man of funk is royalty. Everyone
- 3 | who says the Omertà code is royalty. That is not for everyone
- 4 anymore. When your cheeks get kissed, you become a made man.
- 5 Other than that, you are BB. You are a made man who runs his
- 6 own table now. This means you need a UB, or an underboss, a
- 7 capo, and an LT. The rest are BB soldiers for the fam. These
- 8 three positions become made men also. You must kiss the
- 9 cheeks. They must be able to spit the 2 M's. Everyone else is
- 10 BB, or Black Blood.
- 11 Q. And do you see -- can you read what that says right there
- 12 | what I just highlighted.
- 13 A. Yep. It's "Black Blood."
- 14 Q. Can you read what I've highlighted here.
- 15 A. [Reading]: Black Blood has the same ranking system as the
- 16 other set but OG.
- 17 Q. And then turning to the next page, can you read that.
- 18 | A. Yep. [Reading]: OG -- from the previous page.
- 19 [Reading]: OG status is called chief instead of OG.
- 20 Chiefs of BB --
- 21 THE COURT: Can you slow down a little bit.
- 22 | THE WITNESS: [Reading]: Chiefs of BB are capos in
- 23 | the mafia.
- 24 BY MS. HOFFMAN:
- 25 Q. And I'm sorry. This next line, too. And if you could

- 1 read it slowly.
- 2 A. [Reading]: Mafia over Black Blood is what the mob is.
- 3 Q. Can you read this here (indicating).
- 4 A. [Reading]: EMMS overpower everything, lil bro, so make
- 5 history.
- 6 Q. I'm going to show you Government's Exhibit GP-12-C.
- 7 Can you tell us what we're looking at here.
- 8 Oops, no, you can't, because . . .
- 9 Can you see that in front of you?
- 10 **A.** Yes.
- 11 Q. Can you tell us what we're looking at here.
- 12 **A.** That is a letter dated March 25th, 2016.
- 13 Q. And who is it addressed to?
- 14 **A.** Bro.
- 15 Q. And I'm going to highlight a couple things here for you.
- Do you see the references -- is it big enough for you to
- 17 read there?
- 18 A. Yeah, I think so.
- 19 **Q.** Do you see the references to A., K., and A.?
- 20 A. Yes. And those are Mr. Bailey's kids.
- 21 | Q. And then do you see -- can you read this part for us here
- 22 (indicating).
- 23 | A. Sure. [Reading]: As for the books, Frienemies 2 is at
- 24 | print right now and should be out in a few weeks.
- 25 Q. And I'm going to scroll to the next page.

- Can you tell us who this is signed by.
- 2 A. [Reading]: Your brother, RE.
- 3 Q. And can you read -- see this last sentence here [reading]:
- 4 | Shit don't stop?
- 5 A. Yes, ma'am.
- 6 Q. Can you read the capitalized letters in that.
- 7 **A.** That's "TTP."
- 8 Q. And I'm going to show you now Government's Exhibit IC-29,
- 9 which has been introduced as a file from Dante Bailey's
- 10 | iCloud account.
- 11 Can you tell us what we're looking at here.
- 12 **A.** That is a 50/50 face split of Kevin Gary, who goes by
- 13 Red Eyes, which was the RE from the previous letter, and
- 14 Mr. Bailey.
- 15 Q. And do you see at the top where it says -- there's the
- 16 | numbers 887 and 667?
- 17 A. So 887 is the telephone touch code equivalent of TTP, or
- 18 | Treetop Piru. And 667 is the touch tone equivalent of MMP.
- 19 **Q.** And do you see in the bottom right where it says "The
- 20 Mafia"?
- 21 **A.** Yes.
- 22 Q. And I'm going to show you Government's Exhibit IC-30,
- 23 | which has also been identified as a file from Dante Bailey's
- 24 iCloud account.
- Can you tell us what we're looking at here.

- 1 A. That's the cover of the book that Kevin Gary was referencing.
- Q. I'm going to show you now Government's Exhibit GP-12-D.4 Can you tell us what we're looking at here.
- 5 A. It's another document recovered from the search warrant.
- 6 Q. And this is the search warrant on May 17th of 2016?
- 7 A. Yes, ma'am. Sorry.
- Q. And I'm going to show you Page 2 of this document.
 Do you see this section called "Discipline"?
- 10 **A.** Yes.
- 11 **Q.** Can you read the highlighted text there.
- 12 A. [Reading]: A Level 1 Violation. If a chief is found
- guilty of a Level 1 violation, the ultimate punishment is
- 14 death.
- 15 Q. And down below, can you read the highlighted text there.
- 16 A. [Reading]: Level 1s: Murdering a family member, robbing
- 17 | a family member, telling -- I believe it's telling on a family
- 18 member.
- 19 Q. And I'm going to zoom in.
- Can you read the highlighted text here (indicating).
- 21 A. Yes, ma'am. [Reading]: A Level 2 Violation. If a chief
- 22 | is found guilty of a Level 2 violation, the ultimate punishment
- 23 | is, quote, smash. A smash is -- I'm not sure what that word
- 24 | is -- but many chiefs -- the chief in command is comfortable --
- 25 and then something is crossed out -- and let smash you. You

- will be beaten for 60 seconds and will be able to fight back,
 depending on the call of the chief.
- 3 Q. And then I'm going to zoom in.
 4 Are you able to read the text here (indicating)?
- A. Yep. [Reading]: Level 3 Violation. If a chief is found guilty of a Level 3 violation, the ultimate punishment is a week out --
- 8 I'm not sure what that word is. The last part is kind of 9 difficult.
- 10 **Q.** I'm going to show you now Government's Exhibit GP-12-E.

 11 What are we looking at here?
- 12 A. That's a sheet -- from the search warrant on May 8th, 17th
 13 [sic] that says "BBB" at the top.
- 14 Q. And did this acronym BBB come up in your investigation?
- 15 A. Yes, ma'am. It stands for Black Blood Brotherhood.
- Q. And I'm going to show you Government's Exhibit GP-12-F.
- What are we looking at here?
- 18 A. Those are two sticky notes. The top says "Blizz" and it
- 19 has two numbers. Blizz was the nickname that Michael Singer
- 20 went by.
- 21 Q. And was Michael Singer a subject of your investigation?
- 22 A. Yes, ma'am.
- 23 Q. I'm going to show you Government's Exhibit IND-79.
- Who's that?
- 25 A. That's Mr. Singer.

- 1 Q. And then going back to GP-12-F.
- 2 Can you read for us the contact here.
- 3 A. Yep. That's Spotty.
- 4 Q. And was there a subject of your investigation who went by
- 5 | Spotty?
- 6 A. Yes. That's Ivan Potts.
- 7 Q. I'm going to show you Government's Exhibit IND-70.
- 8 Who's that?
- 9 A. That would be Mr. Potts.
- 10 Q. Going back to Government's Exhibit GP-12-F, I'm going to
- 11 | flip to the second page.
- Do you see contact information here for Mikey Singer?
- 13 A. Yes. That's the same Michael Singer we just talked about.
- 14 Q. And scrolling down to the third page, do you see what this
- 15 says here?
- 16 A. That's Spence, and then it looks like a prison number,
- 17 | like an inmate number.
- 18 Q. And was there a subject of your investigation with the
- 19 | name Spence?
- 20 A. That's Adrian Spence. Yeah.
- 21 Q. And I'm going to show you Government's Exhibit IND-81.
- Who's that?
- 23 A. That would be him, Mr. Spence.
- 24 Q. I'm going to approach and show you
- 25 Government's Exhibit GP-12-G.

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1 (Handing.)
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And can you describe for the record what you're looking at there.

- A. This was one of the documents we recovered from the search warrant on May 17th. This is a copy of what is essentially a screenplay with screen directions and narrative typed out, including -- it's basically written like a movie screenplay.
- 9 Q. And is it handwritten or typed?
- 10 A. Handwritten.
- 11 Q. Approximately how long is it?
- 12 A. It's almost 200 pages.
- 13 Q. And when you recovered this screenplay, were you able to
- 14 tell whether the pages were in order?
- 15 A. I don't believe they were in order, no.
- 16 Q. I'm going to pull up Government's Exhibit GP-12-G.
- And I'm going to direct your attention to a few pages in this exhibit.
- 19 First, I'm going to show you Page 55.
- 20 Are you able to see that on your screen there?
- 21 **A.** Yep.
- 22 Q. And can you tell us what we're looking at here.
- 23 **A.** That is a cast of characters in order of appearance.
- Q. And do any of the names in this list -- did any of these
- 25 names come up in your investigation?

- 1 A. Yes. Many of them did.
- 2 Q. And if you could just read a few of them for me as I
- 3 highlight them.
- 4 A. Sure. That's Gutta, or Mr. Bailey.
- 5 Spittle, or Adrian Spence.
- 6 Menace, Mal, and J-Rock.
- 7 Bo and Trouble.
- 8 Huggie Bear, Bino M's, and Bangout.
- 9 Q. I'm going to show you now Page 56, which is the next page.
- 10 And do you see that this is a continuation of a list of names?
- 11 A. Yep. That's Bandi.
- 12 Q. Was she someone who came up in your investigation?
- 13 A. Yes. That's Shakita Heath.
- 14 **Q.** And?
- 15 A. That's M-Easy, which was the nickname for Lamar Stevens.
- 16 **Q.** And down there?
- 17 A. That's Dirt, or Mr. Banks over there.
- 18 Q. I'm going to show you now Page 40 of this document.
- 19 I want to zoom in here.
- 20 Are you able to read that on the screen in front of you?
- 21 A. Yes, ma'am.
- 22 | Q. Could you read that for us.
- 23 **A.** Starting up at the top?
- 24 | Q. Here, I'll highlight. Could you start by reading this
- 25 text for us (indicating).

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- 1 A. Sure. [Reading]: Gutta sitting in secluded area. Bino
- 2 | Spittle, Bo, Pootie, J-Rock, Nizbo, and Lil Reese or Lil Ree
- 3 | walk in. Gutta stands and greets his hand-picked team, and all
- 4 of them sit around the table. Gutta looks all of them in the
- 5 eyes.
- 6 Q. And can you remind us, who is Gutta?
- 7 A. That's Mr. Bailey.
- 8 **Q.** And what about Bino?
- 9 A. Bino is Dontray Johnson.
- 10 Q. What about Spittle?
- 11 **A.** Adrian Spence.
- 12 **Q.** And what about Bo?
- 13 A. Mr. Anderson.
- 14 MS. AMATO: Objection; basis of knowledge.
- 15 **THE COURT:** Overruled.
- 16 BY MS. HOFFMAN:
- 17 **Q.** And do you see Bo sitting in the courtroom today?
- 18 A. Yes. He's in the kind of bluish-gray shirt over there
- 19 (indicating).
- 20 **Q.** And then I'm going to highlight some more texts down
- 21 below.
- 22 Could you read this highlighted text for us.
- 23 | A. Yep. [Reading]: Over the last year, you all have earned
- 24 | the right to be bosses. Over the last two weeks, I have been
- 25 | formulating a plan for us to have longevity success. There is

- 1 | no longer a need to wish for a plug. Now you will be the plug.
- 2 Q. And who does this appear to be attributed to?
- 3 A. Mr. Bailey.
- 4 Q. I'm going to show you Page 42 of this document.
- 5 And I just want to highlight -- do you see where it says
- 6 [reading]: On September 21st, 2013, I was blessed with a baby
- 7 boy?
- 8 A. Yes, ma'am.
- 9 Q. Does Dante Bailey have a child who would be around that
- 10 age?
- 11 A. Yes, he does.
- 12 Q. And I'm going to zoom in here.
- 13 And are you able to read that text there?
- 14 A. Yes, ma'am.
- 15 Q. Can you read that for us.
- 16 **A.** Sure. [Reading]: In paren -- in parentheticals, flashes
- 17 | to new spot where it's a long table with young N's and bitches
- 18 | bagging up the smack. All that bagging-up shit myself over
- 19 | with. It's a regi 9:00 to 5:00 now because of the quantity I'm
- 20 | touching, so I pay these lil motherfuckers \$200 a day just to
- 21 package the product. They don't cut it. They don't process
- 22 it. They just gram it up.
- 23 | Q. And I'm going to show you Page 43 of this document.
- 24 And can you read that text for us.
- 25 **A.** Yep. For example, I don't even count my money no more. I

- 1 | weigh it. 100,000 in a box weigh a pound and a half. Money
- 2 ain't a thing.
- 3 Q. And then can you read the sentence here (indicating).
- 4 A. My focus now is ducking these rats and coming up with
- 5 | ideas to legitimize this bread.
- 6 Q. I'm going to go to Page 101 of this document.
- 7 And, first of all, do you see a list of names over here?
- 8 A. Yes, ma'am.
- 9 Q. And could you just read those names for us.
- 10 A. Sure. Gutta, Spittle, J-Rock, Bo, Rams, Dirt, Tech,
- 11 Butch, and Mal.
- 12 **Q.** And are those names that came up in your investigation?
- 13 A. Yes, ma'am.
- 14 Q. I'm going to zoom in here.
- 15 Can you read this text for us.
- 16 A. Yep. [Reading]: Bo and J-Rock. Fiend sees Bo park on
- 17 | Muth Ave. Approaching him GS Bo, quote, No. We hitting over
- 18 Wakefield, end quote, on the -- excuse me.
- 19 [Reading]: No. We hitting over Wakefield on the bottom
- 20 lot, end quote.
- 21 | Q. And are you familiar with Muth Avenue?
- 22 **A.** I am.
- 23 **Q.** Where is that?
- 24 | A. It's the street behind the gas station at Windsor Mill and
- 25 Forest Park.

I'm going to direct your attention down here. 1 Q. Can you read what it says here. 2 It's titled "Shooters." 3 Yes. Α. And then number 1 is Trouble and Nizzy. 4 5 Number 2 are Breeze, Nick, Beezy, Lil D and Bino M's. Number 3 is Bandi or bad girl. 6 7 And number 2, again, is Bangout. And are some of those people subjects of your 8 investigation? 9 Yes, ma'am. 10 Α. 11 I'm going to direct your attention to Page 107. And can you read what it says there. 12 13 That's the exterior parking lot of the new apartments. And if you're able to, can you read this section for us 14 15 (indicating). 16 Sure. And this is a narrative. It's the interstate phone 17 game. 18 [Reading]: And y'all probably thought that was good. Saying, quote, Damn them N's doing it, but quess what? 19 20 just half of the game -- or half of game. The other half is 21 even more . . . I'm not sure what that word is. 22 23 I told you my hood gets money. Fuck a gold [Reading]:

hit coming into the city off the Interstate 70, we have first

24

25

This shit produces platinum. Being the first spot you

dibs on all the fiends coming from all the surrounding counties
and states who want a taste of that Baltimore love thang, that
Grade A skag, that shit that make an N forehead touch his toes,
that blue magic that make a motherfucker levitate and defy
gravity. Yeah, this gray shit, straight from Afghanistan
through channels.

- Q. And down below, are you able to read this text for us?
- A. Yes.

[Reading]: That's where Spittle come into play. We put our minds together and designated five areas as hitting spots that were easy for the out-of-towners to find, close to the interstate, so they can cop and get right back on and leave. These five areas are parking lots that are given names, like up top, down bottom, the pits, the graveyard, and on the block. So if I say, Meet me up top, they know to go to that specific parking lot. For this operation, all we needed was two hitters, one lookout, and a driver. The lookout's job was to watch for the cops and have the gun just in case any funny business occurs. The hitters' jobs are to cover each individual side of the parking lot. Think about it, five parking lots filled.

- Q. I'm going to go to the next page, Page 108.

 Can you read this text for us.
- A. [Reading]: With carloads of fiends being directed by someone on the other end of a phone to a secluded area. Once

```
each parking lot gets filled, I said take the hitters in and they clear the lot out. In five minutes, no less than $12,000 is made. So hitting five parking lots equals 60 bands. And doing this twice a day, that's 120. The longest part of the day is waiting for.
```

Q. I'm going to direct your attention to Page 114 of this document.

Are you able to read that on your screen there?

A. Yes.

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- 10 Q. Can you read that for us.
- 11 [Reading]: That good Baltimore love thang. Everyone from Α. the surrounding counties of Maryland and the surrounding states 12 who wanted a taste of the high-quality drugs that Baltimore is 13 known for, as soon as they exited Interstate 70 at the 14 15 park-and-ride, boom. And you can find whatever you wanted at 16 the gas station on the corner of Forest Park and Windsor Mill. 17 The cash flow was overwhelming. The crack epidemic put us on a 18 pedestal. We were elite, young N's, groomed by the topnotch 19 old heads who were getting big bread. N's that lost their 20 swaq, eventually for the love of that skaq -- skaq being heroin, better known as smack. We didn't sell smack early on, 21 but when that -- when that shit hit, it was an entire new 22 23 generation coming up. And it turned Forest Heights into a danger zone just like the rest of the city. The old saying, 24 25 quote, Mo' money, mo' problems, quote, proved to be true. The

```
5200 block of Windsor Mill was off the chain, and N's from
 1
     other parts of the city were starving. They thought shit was
 2
     sweet. They were about to find out that those 5200
 3
     Get Money Boys weren't nothing to play with -- wasn't nothing
 4
 5
     to play with.
 6
          Excuse me.
              THE COURT: Ms. Hoffman, I think we need to just take
 7
     the morning recess.
 8
              MS. HOFFMAN: Sure. Yeah.
 9
              THE COURT: Okay. Thank you.
10
11
              So we will excuse the jury.
          (Jury left the courtroom at 10:57 a.m.)
12
13
              THE COURT: All right. Thank you.
              And the witness can step down for the short recess.
14
15
              And we'll excuse the gallery also.
16
          (Pause.)
17
              THE COURT: Sorry that was a little abrupt, but one of
     the jurors needed a break.
18
              MS. HOFFMAN: Oh, yes. No problem.
19
              THE COURT: We'll take the mid-morning recess now.
20
              Thank you.
21
          (Recess taken.)
22
              THE COURT: All right. We'll get the jury.
23
          (Jury entered the courtroom at 11:10 a.m.)
24
25
              THE COURT: All right. We'll be continuing.
```

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Case 1:16-cr-00267-LKG Document 1367, Filed 11/21/19 Page 56 of 149 BY MS. HOFFMAN: 1 Agent Moore, I'm going to pull 2 Q. Government's Exhibit GP-12-G back up. 3 And I'm going to direct you to Page 136 of this document. 4 5 Are you able to read this text for us? 6 Yep. [Reading]: Scene 31, Spot. Gutta talkin' to Α. 7 Spittle about the N's -- about the N Fresh and how he caught him slipping. He tells him that it's time to use the bitch N's 8 BM to get at him 'cause shit is getting too close. 9 explains that he gonna bring M-Easy from D.C. to handle it and 10 11 tell the bitch that we got 50 racks for her. And then Scene is 32 [reading]: Kill Fresh. 12 13 Was there a subject of your investigation who went by M-Easy? 14 15 That's Lamar Stevens. Α. Yes. 16 And I'm going to show you Government's Exhibit IND-84. 17 Who's that? 18 That's Mr. Stevens. Α. Pulling back up GP-12-G, I'm going to direct you to 19 20 Page 146 of this document. 21 Can you read the text here for us.

A female junkie crosses the street, open sores.

22

23

Α.

Sure.

[Reading]:

Fiend Number 4: What time y'all opening shop around here?

```
Bo, in parentheticals, talking to Fiend 4 and a crowd
 1
 2
     standing behind her.
          We ain't hitting round here. Go over Wakefield on the
 3
    bottom lot.
 4
 5
          Bo gets back in the car. Car pulls away. The crowd heads
     over Wakefield with Fiend Number 4 leading the way.
 6
 7
          I'm going to direct you to Page 172 of this document.
     Q.
          Are you able to read the text here?
 8
          Can you move it over. It's a little cut off on my screen.
 9
     Thank you.
10
11
          This is Mr. Bailey speaking at the top.
          [Reading]: Old head doubled me up this go-round, so we
12
13
     gonna move in on the junction. That shit they got, ain't fuck
     with this gray shit.
14
15
          And Spittle or Mr. Spence [reading]: Who opening that up?
16
          And Mr. Bailey [reading]: You and J-Rock. Start out with
17
     a hundred packs. Pass out about 10 of 'em. Once they get a
18
     taste, it's over.
          And Bo, or Mr. Anderson [reading]: You know --
19
              MS. WHALEN: Objection, Your Honor. He's been asked
20
     to read.
21
                         Why don't you just read the -- yes.
22
              THE COURT:
23
     read what it says Bo or Gutta or whatever it says.
24
              THE WITNESS: Yes, ma'am.
25
              THE COURT:
                          Okay.
```

BY MS. HOFFMAN:

- 2 | Q. I'm sorry. I closed out of it. I wasn't sure what the
- 3 objection was. I'm going to pull it back up. GP-12-G and
- 4 Page 172.

1

- And can you continue where you were before, just reading
- 6 what's actually on the page.
- 7 **A.** Yep.
- 8 [Reading]: Bo: You know, North and Longwood N's be
- 9 playing that spot.
- 10 Gutta: Fuck them N's. If an N blink wrong, call Trouble.
- 11 We need more spots, yo. I'm trying to make a power move real
- 12 soon.
- [Reading]: Spittle: Me and J-Rock, that's it?
- 14 Q. And was there a subject of your investigation who went by
- 15 Bo?
- 16 **A.** Yes.
- 17 **Q.** Who was that?
- 18 A. Mr. Anderson.
- 19 **Q.** And Gutta?
- 20 A. Mr. Bailey.
- 21 **Q.** And was there a subject of your investigation who went by
- 22 Spittle?
- 23 A. Mr. Spence.
- 24 **Q.** And what about J-Rock?
- 25 A. That's Jarmal Harrid.

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- 1 Q. And then just briefly on the next page, can you read this.
- 2 A. [Reading]: Gutta: Take Menace, too. Make it rain on
- 3 | them fiends down there. We moving up to the next level.
- 4 | Q. And was there a subject of your investigation who went by
- 5 Menace?
- 6 A. Yes. That's Melvin Lashley.
- Q. Now, you testified earlier that you are one of the case agents for this investigation.
- 9 Was one of the acts of violence that you investigated a
 10 shooting at the Mirage nightclub?
- 11 A. Yes, ma'am.
- 12 Q. And can you remind us who the victim of that shooting was.
- 13 A. Samartine Hill.
- 14 Q. I'm going to show you Government's Exhibit GP-12-H.
- And can you tell us what we're looking at here.
- 16 **A.** This is a list of scenes from that screenplay.
- 17 | Q. And I'm going to -- can you read what it says here.
- 18 **A.** It says [reading]: Mirage nightclub, parentheticals,
- 19 Nooks get hit.
- 20 **Q.** And I'm sorry. Did you say what -- was there a nickname
- 21 | that the victim Samartine Hill went by?
- 22 A. Yes. I'm sorry. He went by Snook.
- 23 | Q. I'm going to show you -- direct your attention down below.
- 24 | See where it says "inserts" and then there's some language
- 25 here?

- 1 A. Yes, ma'am.
- 2 Q. Can you read that text for us.
- 3 A. [Reading]: Bino M's shooting at Nooks out of Gutta's Ac.
- 4 | Q. And was there a subject of your investigation who went by
- 5 | Bino?
- 6 A. That's Dontray Johnson.
- 7 **Q.** I'm going to go to the next page here.
- 8 And can you start by reading the text at the top here.
- 9 A. Yes. It's the [reading]: Exterior, outside of club. See
- 10 lines of people.
- And then it's [reading]: Mirage. And then
- 12 parentheticals, it's Nooks' point of view. He's standing in
- 13 line with N's, and Gutta and his entourage walk through 20 deep
- 14 | shaking Nooks' and all of the village N's' hands and walks to
- 15 | the VIP line.
- 16 | Q. And would you mind reading this text for us here.
- 17 A. [Reading]: Gutta: This shit gonna be live. Take some
- 18 | pictures for Instagram. Parentheticals, He calls Spittle and
- 19 ask him where he's at on his phone.
- 20 Q. And can you read this text for us here.
- 21 A. It's Gutta again. [Reading]: You know we got to do it
- 22 | big. The N Geezy swear he got the city. Ain't that the bitch
- 23 | Isa talkin' to the N Nooks?
- 24 Q. And what does it say here?
- 25 **A.** It starts with a parenthetical [reading]: Dirt looks over

- 1 at the regular line.
- And then it's Dirt [reading]: Yeah, that's that bitch.
- 3 | Q. And I'm going to scroll to the next page of this excerpt.
- 4 Do you see where it says "mistakes and changes" at the
- 5 top?
- 6 A. Yes, ma'am.
- 7 **Q.** Can you read this text here (indicating).
- 8 A. [Reading]: We have to insert a scene where Spittle asks
- 9 | an N about Nooks and the N says he a rat and a bitch and a
- 10 snake.
- 11 Q. I'm going to show you Government's Exhibit GP-12-A.
- 12 Can you tell us what we're looking at here.
- 13 **A.** That's a letter addressed to Gutta.
- 14 Q. And where was this recovered?
- 15 **A.** Same pile of documents from the search warrant at
- 16 Reserve Circle.
- 17 **Q.** And I'm going to direct your attention to the top. Can
- 18 | you just read the first -- who it's addressed to in the first
- 19 line.
- 20 **A.** Yes. It says Gutta [reading]: What's mobbin', G? You
- 21 | already know what it . . .
- 22 **Q.** And then down below can you read what that says.
- 23 | A. [Reading]: You know, me and Candace are getting married.
- 24 Q. And scrolling to the next page, can you finish that
- 25 | sentence for us.

- 1 A. [Reading]: When I come home.
- 2 Q. And then I want to zoom in down here. Would you mind
- 3 reading starting with the text "get Tiffany."
- 4 A. Sure. [Reading]: Get Tiffany to send me some pictures of
- 5 us that we was in together from when we was out there, bro --
- 6 or bruh. Tell her to send me the pictures of when we went to
- 7 | that party out there in Towson when me and you had on that red
- 8 and I had those 14 Jordans on, bro.
- 9 Oh.
- 10 [Reading]: Me, you, Menace, Bill, Jakey and I -- oh, and
- 11 I think bruh and you -- and your wild ass almost crashed the
- 12 though -- something.
- 13 **Q.** Was there a subject of your investigation who went by
- 14 | Bill?
- 15 **A.** Yes.
- 16 **Q.** Who was that?
- 17 **A.** His name, I'm blanking on his name right now.
- 18 Q. Was there a subject of your investigation who went by
- 19 Jakey?
- 20 **A.** It's Jacob Bowling -- William Jones. Sorry.
- 21 **Q.** That's okay.
- I'm going to scroll to the next page, Page 3, of this
- 23 document.
- And would you mind reading beginning with "I am pressing."
- 25 **A.** [Reading]: I am pressing whoever and doing what they

- 1 | supposed to be doing when I come home. Doing in and -- or
- 2 going in N's' pockets. Just green light them, G -- or just
- 3 green light them, G.
- 4 Q. And I want to zoom in here, and can you read the text
- 5 beginning with "You know I."
- 6 A. [Reading]: You know I got a few more tattoos on me, G.
- 7 got the 5-point crown on the right side of my face, the M on
- 8 the left side of my face, Team Cash on my leq, GMB on my leq,
- 9 WB on my leq, and 5200 Big Baby.
- 10 Q. And who is this letter signed by?
- 11 A. It's M-Easy.
- 12 Q. And I want to ask you, finally, do you see the postscript
- 13 down here? Can you read the last sentence there.
- 14 A. [Reading]: Send some brothers' numbers. And Nick don't
- 15 got a phone down the max? Question mark.
- 16 **Q.** And was there a subject of your investigation who went by
- 17 Nick?
- 18 A. That's Dominick Wedlock.
- 19 **Q.** I believe you testified earlier that there was a subject
- 20 of your investigation who went by M-Easy. Can you remind me of
- 21 his name.
- 22 A. That's Lamar Stevens.
- 23 Q. And I'm going to again pull up
- 24 | Government's Exhibit IND-84, who you identified as
- 25 Lamar Stevens.

Did M-Easy come up in your investigation in other ways?

A. He did. He was spoken about in a call on, I believe it was August 19th, 2016, that was made by Mr. Bailey from his -- from his place of incarceration at NNRJ in Virginia.

The call went to Michael Singer, who was with a number of other people, including Jamal Lockley.

- Q. And what's Jamal Lockley's nickname?
- 8 **A.** T-Roy.

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- 9 Q. And do you see him in the courtroom today?
- 10 A. Yes. He's in the black button-up.
- 11 Q. And can you tell us, just generally speaking, what
- 12 | happened in that call.
- 13 A. The gist of the call was Mr. Bailey had asked that a bunch
 14 of the guys gather together, which they did at the studio where
 15 they would record. During that call, it came up that Trouble,
 16 or William Banks, was coming to record with them.

Mr. Bailey made reference to the fact that he shouldn't be there because he was a rat. Mr. Lockley got on the phone. And they then called, using a different number, Adrian Spence's grandmother, who confirmed -- in their opinion, confirmed that Mr. Banks was, in fact, telling on Mr. Spence.

At that point there was a discussion about what to do about it. Mr. Bailey instructed Mr. Lockley to -- and the group of -- Mr. Bailey instructed Mr. Lockley to send Trouble to M-Easy.

- 1 Q. Did you listen to any -- I believe you testified that that
- 2 | call took place on August 19th of 2016?
- 3 A. Yes, ma'am.
- 4 Q. And I'm going to pull up Government's Exhibit J-65 and the
- 5 transcript. And this is on Page 211 of the transcript binders.
- 6 And I'd like to just play two very short clips of this
- 7 | call. This call has been played before.
- 8 I'd like to play two very short clips that you just
- 9 referred to.
- 10 The first one will be from 156 to 234, which is on page --
- 11 | in the transcript it starts on Page 212.
- 12 (Audio was played but not reported.)
- 13 **BY MS. HOFFMAN:**
- 14 Q. And is this the part of the call that you were just
- 15 referring to?
- 16 A. Yes, ma'am, one part of it.
- 17 | Q. And then I'm just going to play a very brief clip from
- 18 | 5 minutes and 15 seconds to 5 minutes and 43 seconds, and this
- 19 part starts on Page 214 of the transcript.
- 20 (Audio was played but not reported.)
- 21 BY MS. HOFFMAN:
- 22 | Q. And is this the second part of the call that you were just
- 23 | referring to?
- 24 A. Yes, ma'am.
- 25 Q. Are you able to recognize the voices of the participants

- 1 in this call?
- 2 A. Yes. That was Mr. Bailey and Mr. Lockley.
- 3 Q. Did you listen to any jail calls between Dante Bailey and
- 4 | Lamar Stevens that took place after this call?
- 5 **A.** Yes.
- 6 Q. And now I'm going to play you Government's Exhibit J-67,
- 7 | which is on Page 220 of the transcript binders.
- 8 And I'm going to start by asking you, can you read the
- 9 | inmate name and dialed number and date and time.
- 10 A. Sure. It's Dante Bailey. And dialed number is
- 11 (202) 246-6979. And it's on September 21st, 2016, at about
- 12 | 1:38 in the afternoon.
- 13 | Q. And I'm going to start just by playing the first ten
- 14 seconds.
- 15 (Audio was played but not reported.)
- 16 BY MS. HOFFMAN:
- 17 | Q. And now I'm going to skip ahead to 4 minutes and
- 18 44 seconds into the call, which starts on Page 223 of the
- 19 transcript.
- 20 (Audio was played but not reported.)
- 21 BY MS. HOFFMAN:
- 22 | Q. I want to scroll back up in the transcript to about where
- 23 we started.
- Did you hear when -- well, first of all, let me ask you:
- 25 | Were you able to determine the participants in that call?

- 1 A. Yes. That's Mr. Bailey and Mr. Stevens.
- 2 Q. And how were you able to determine it was Mr. Bailey?
- 3 A. I'm familiar with his voice.
- 4 Q. And what about Mr. Stevens?
- 5 A. The same.
- 6 Q. Were there other indications of -- were there other ways
- 7 | you were able to determine that this was Mr. Stevens he was
- 8 talking to?
- 9 A. Mr. Stevens's reference to Candace and his mention of
- 10 where he was living.
- 11 Q. And I believe you testified earlier that Lamar Stevens is
- 12 M-Easy; is that right?
- 13 A. Yes, ma'am.
- 14 Q. Did you hear when M-Easy referred to Mr. Bailey as Wolf?
- 15 **A.** Yes.
- 16 Q. And then did you hear that there was a discussion of
- 17 | Blizz?
- 18 **A.** Yes.
- 19 Q. And can you remind us who Blizz is.
- 20 A. That's Michael Singer.
- 21 Q. And then scrolling down to the end, did you hear when
- 22 M-Easy said [reading]: But, bra, all you gotta do is just tell
- 23 | me what to do in the order to get us the right way, bra. I got
- 24 us, bra. You know what I'm talking about, man. Ain't trying
- 25 | to talk reckless?

- 1 A. Yes, ma'am.
- 2 Q. Agent Moore, did your investigation also involve a wiretap
- of certain cell phones?
- 4 A. Yes, it did.
- 5 | Q. And when was that wiretap investigation?
- 6 A. July and August of 2016.
- 7 **Q.** Whose phones were wiretapped?
- 8 A. Dwight Jenkins was Line 1.
- 9 Jacob Bowling was Line 2.
- 10 And Jamal Lockley was Line 3.
- 11 Q. And can you remind us the nicknames of those three.
- 12 A. Dwight Jenkins was Huggie.
- 13 Jacob Bowling was Jakey.
- 14 And Jamal Lockley was T-Roy.
- 15 Q. Did you become familiar with their voices over the course
- 16 of the investigation?
- 17 A. Yes, I did.
- 18 **O.** How?
- 19 A. We listened to hundreds of calls for each line. We
- 20 | conducted controlled purchases of narcotics from each
- 21 | individual that were recorded. So comparing those recordings
- 22 of the person with our informants and the phone calls, we all
- 23 just became familiar.
- 24 | Q. I'm going to play you a call from
- 25 Government's Exhibit Wire 3, which has come into evidence as a

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- disc of wire calls intercepted over a cell phone belonging to
- 2 Jamal Lockley with phone number (443) 709-7780.
- And I'm going to play you Call TT-3-5298, which is on
- 4 Page 189 behind the wire call tab.
- And can you start by reading the line ID number towards
- 6 the top.
- 7 **A.** Yes, ma'am. It's (443) 709-7780.
- 8 Q. And can you read the date and time of the call.
- 9 A. It's August 6th, 2016, at approximately 5:22 p.m.
- 10 Q. And can you tell us the participants.
- 11 **A.** It is Jamal Lockley and an unknown male.
- 12 (Audio was played but not reported.)
- 13 **BY MS. HOFFMAN:**
- 14 Q. Did you hear when the unknown male made reference to Easy?
- 15 **A.** Yes.
- 16 | Q. And did the physical description he provided -- was it
- 17 | consistent with Lamar Stevens?
- 18 A. Yes, it was.
- 19 Q. And then did you hear when the unknown male said
- 20 [reading]: Down Dirt and them way?
- 21 **A.** Yes.
- 22 | Q. And did you hear when the unknown male said [reading]:
- 23 Hey, yo, it's hella business up here, son?
- 24 A. Yes, ma'am.
- 25 | Q. Did you hear when Lockley said [reading]: I know.

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- 1 | Everybody called me and told me about that?
- 2 **A.** Yes.
- 3 | Q. And did you hear when the unknown male said [reading]:
- 4 | They just walkin' up to cars. They comin' in groups?
- 5 A. Yes, ma'am.
- 6 Q. Agent Moore, you testified earlier about cell phones that
- 7 | were recovered during the search of the Baileys' residence on
- 8 May 17th of 2016. Were those cell phones searched pursuant to
- 9 a search warrant?
- 10 A. One was pursuant to a search warrant. And like I
- 11 previously stated, one was searched pursuant to consent.
- 12 Q. And which was which? Can you remind us.
- 13 A. Ms. Bailey's was the consent search, and Mr. Bailey's was
- 14 the search warrant.
- 15 Q. I'm going to show you Government's Exhibit CELL-1-A, which
- 16 has been identified as excerpts from the certified extraction
- 17 | report from Government's Exhibit CELL-1 which you identified as
- 18 | the phone recovered from the pants pocket of Dante Bailey's
- 19 pants or pants matching his size.
- 20 Can you start by reading the device number here at the
- 21 top.
- 22 **A.** Sure. It's (802) 839-8109.
- 23 | Q. And did you actually look at the actual certified
- 24 extraction report for this phone?
- 25 **A.** I did.

- 1 Q. Did you check that device number?
- 2 A. Yes, ma'am.
- 3 Q. Is that correct?
- 4 **A.** Yes, that is the correct number.
- 5 Q. And I'm going to pull up actually Government's Exhibit --
- 6 | the transcript for Government's Exhibit J-49, which is a call
- 7 | that I believe you testified about last Thursday.
- 8 Do you recall listening to a call last Thursday made from
- 9 Darius Stepney's inmate account?
- 10 A. Yes, ma'am.
- 11 Q. And do you recall that at some point in that call,
- 12 Darius Stepney said, "I need to get Gutta' number from you"?
- 13 **A.** Yes.
- 14 Q. And do you recall that there was a number given in
- 15 response?
- 16 A. Yes, ma'am.
- 17 Q. And can you tell us what that number was.
- 18 | A. It was (802) 839-88 -- or 8109. Excuse me.
- 19 Q. And is that the same number that is listed as the device
- 20 | number for CELL-1?
- 21 A. That's correct.
- 22 Q. I'm going to pull back up CELL-1-A.
- 23 And do you see that there's a list of contacts here?
- 24 A. Yes, ma'am.
- 25 **Q.** Directing your attention to the first contact, B-O, do you

- 1 | see that there's a number of cell phone numbers listed there?
- 2 A. Yes, ma'am.
- 3 **Q.** And I'm actually going to show you
- 4 Government's Exhibit SM-6-C, which has been identified as a
- 5 | file from Dante Bailey's iCloud account.
- 6 (Video was played but not reported.)
- 7 BY MS. HOFFMAN:
- 8 Q. Can you tell us who's pictured in that video.
- 9 A. That's Mr. Bailey to the left and Mr. Anderson to the
- 10 right.
- 11 Q. And, for the record, can you describe what's on the table
- 12 in between them in this area here (indicating).
- 13 **A.** Sure. That's a stack of cell phones.
- 14 Q. I'm going to pull back up CELL-1-A.
- Do you see that there are contacts for Bang and Bangout
- 16 here?
- 17 A. Yes, ma'am.
- 18 Q. And can you read this number here for us.
- 19 **A.** Yep. It's (410) 259-8098.
- 20 Q. And did you obtain certified call-detail records for that
- 21 | phone number as part of your investigation?
- 22 **A.** Yes, we did.
- 23 | Q. I'm sorry. I should have asked you: Who -- was there a
- 24 | Banqout who was a subject of your investigation?
- 25 A. It's James Edwards.

- 1 Q. Did you see the contact here for Boss of Boss?
- 2 A. Yes, ma'am.
- 3 Q. Do you recognize that phone number ending in 4139?
- 4 A. Yes, ma'am. It belongs to Ayinde Deleon.
- 5 **Q.** And how did you determine that?
- 6 A. We listened to a number of jail calls with that number and
- 7 became familiar with his voice.
- 8 Q. And can you remind us Ayinde Deleon's nicknames.
- 9 **A.** Yin or Murda.
- 10 Q. I'm going to show you Government's Exhibit IND-20. Who's
- 11 that?
- 12 A. That's the same, Mr. Deleon.
- 13 Q. Going back to Government's Exhibit CELL-1-A, was there a
- 14 | subject of your investigation who went by Champagne?
- 15 **A.** Yes. That's Jay Greer.
- 16 **Q.** And what about Cream or Creams?
- 17 **A.** That's Mr. Frazier -- I'm sorry, Mr. Davis.
- 18 **Q.** And do you see Mr. Davis sitting in the courtroom today?
- 19 **A.** Yes. He's straight back behind you.
- 20 **Q.** And I want to ask you about this first number here listed
- 21 | next to Cream. Do you see this number, (443) 714-0982?
- 22 A. Yes, ma'am.
- 23 | Q. Did you listen to jail calls made to that number?
- 24 **A.** I did.
- 25 **Q.** And were you able to determine who the user of that phone

- 1 was?
- 2 A. Yes. It was Mr. Davis.
- 3 Q. Do you see the contact here? It's Dirt with a number of
- 4 R's?
- 5 **A.** Yes.
- 6 Q. And can you remind us who Dirt is.
- 7 A. That's Mr. Banks.
- 8 Q. And then do you see a contact here for Droid?
- 9 **A.** Yes.
- 10 | Q. And was there a subject of your investigation who went by
- 11 Droid?
- 12 A. That's Mr. Lockley.
- 13 Q. And I believe you indicated earlier that he went by T-Roy
- 14 | also; is that right?
- 15 **A.** Yes.
- 16 | Q. The second number that's listed here, do you see the
- 17 | number (443) 627-1744?
- 18 A. Yes, ma'am.
- 19 Q. Did you listen to wire calls to that number?
- 20 **A.** Yes.
- 21 **Q.** And were you able to identify the user of that phone?
- 22 **A.** It was Mr. Lockley.
- 23 **Q.** And how did you determine that?
- 24 A. Familiar and I've heard the voice.
- 25 | Q. And I believe you testified that there was a subject of

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- 1 your investigation who went by Easy.
- 2 **A.** Yes.
- 3 Q. What about Fish?
- 4 A. That's Dominic Kane.
- 5 Q. What about Ghost?
- 6 A. That's Jacob Bowling.
- 7 | Q. And was there a subject of your investigation who went by
- 8 Hollywood?
- 9 A. That's Kevin Forrest.
- 10 Q. I'm going to show you Government's Exhibit IND-30.
- Who's that?
- 12 **A.** That's Mr. Forrest.
- 13 Q. Going back to Government's Exhibit CELL-1-A, I'm going to
- 14 | scroll down to the next page.
- Was there a subject of your investigation who went by
- 16 Jr. Boss?
- 17 A. That's Mr. Frazier.
- 18 Q. And do you see Mr. Frazier in the courtroom today?
- 19 A. Yes. He's all the way in the back corner.
- 20 **Q.** And do you see that there's a user name lilsid5200?
- 21 A. Yes, ma'am.
- 22 | Q. And do you see the last phone number listed there,
- 23 (443) 640-8950?
- 24 A. Yes, ma'am.
- 25 **Q.** Was that number of significance to your investigation?

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- 1 A. Yes, it was. It was a number provided to Task Force
- 2 Officer Christopher Faller by Mr. Frazier during their
- 3 attempted narcotics deal.
- 4 Q. And did you obtain certified call-detail records for that
- 5 | phone number during the course of your investigation?
- 6 A. Yes, we did.
- 7 Q. Were there subjects of your -- were there other names
- 8 listed here that came up in your investigation?
- 9 A. Yes, ma'am.
- 10 Q. And would you mind going through some of them for us.
- 11 **A.** Sure.
- 12 J-Rock is Jarmal Harrid.
- 13 Mal is Jamal Smith.
- 14 Melvin is Melvin Lashley.
- 15 Menace is also Melvin Lashley.
- 16 Q. Actually, I want to stop you there. I want to ask you
- 17 | about -- do you see the number listed for Menace over here,
- 18 (410) 762-9166?
- 19 **A.** Yes, ma'am.
- 20 Q. Did you listen to jail calls made to that number?
- 21 **A.** I did.
- 22 **Q.** And were you able to determine the user of that phone?
- 23 A. Yes. It was Mr. Lashley.
- 24 **Q.** And how did you determine that?
- 25 A. We were familiar with his voice.

- 1 Q. I want to direct you down here to -- do you see the
- 2 | contact Rage?
- 3 A. Yes, ma'am.
- 4 Q. And did you listen to jail calls to this (443) 760 8800
- 5 number?
- 6 A. Yes, ma'am.
- 7 Q. Were you able to determine the user of the phone?
- 8 A. It was Dominick Wedlock.
- 9 Q. And how did you determine that?
- 10 A. Familiarity with his voice.
- 11 Q. Were there subjects of your investigation who went by
- 12 | Sheisty, Spittle, Spotty, T-Roy, and Tech?
- 13 A. Yes, ma'am.
- 14 Q. And then do you see down here how there's some contacts
- 15 | listed for Trouble and Trouble Braaa?
- 16 **A.** Yes.
- 17 Q. And can you read what those numbers are.
- 18 **A.** Sure. The first is (443) 564-0387. The next is -- it's
- 19 the same number again.
- 20 And then the last is (443) 600-0131.
- 21 Q. And, finally, do you see that there's a contact for Unc at
- 22 the bottom?
- 23 A. Yes, ma'am.
- 24 Q. And do you see the second number listed here,
- 25 (443) 301-8819?

- 1 A. Yes, ma'am.
- 2 Q. Was that number of significance to your investigation?
- 3 **A.** That was our first wire line.
- 4 | Q. And whose phone were you wiretapping?
- 5 A. Dwight Jenkins.
- 6 Q. Do you see down here at the bottom where it says "selected
- 7 SMS messages" and then a continuation onto the next page?
- 8 **A.** Yes.
- 9 Q. Do you see that there are messages to the phone or, I'm
- 10 sorry, from the phone to other people that say, "This Gutta"?
- 11 A. Yes, ma'am.
- 12 Q. And then do you see the section "Selected Videos" here?
- 13 **A.** Yes.
- 14 Q. Can you read the date of the first -- well, actually, can
- 15 | you read the date of all three videos.
- 16 **A.** Sure. The first is 5/3/2016. The next is 5/9/2016. And
- 17 | the third is 5/15/2016.
- 18 **Q.** I'm going to play you Government's Exhibit CELL-1-B-2.
- 19 (Video played.)
- 20 BY MS. HOFFMAN:
- 21 Q. Can you tell us what we just saw.
- 22 **A.** That's Mr. Bailey at the firing range.
- 23 | Q. Is that the video that you saw on his Instagram account?
- 24 A. Yes, ma'am.
- 25 | Q. And could you tell what he was wearing in that photo?

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- 1 A. The shirt on the back said "Black Blood."
- 2 Q. I'm going to play you Government's Exhibit CELL-1-B-3.
- 3 | (Video was played but not reported.)

4 BY MS. HOFFMAN:

- 5 Q. And I apologize that the video is sideways.
- 6 Were you able to recognize the people standing on either
- 7 end of the casket there?
- 8 A. The one to our right was Ayinde Deleon, and I believe the
- 9 one to the left was Desean McCorkle.
- 10 Q. And what does Desean McCorkle go by?
- 11 A. Sheisty.
- 12 **Q.** And what did Ayinde Deleon go by?
- 13 A. Yin or Murda.
- 14 Q. And are you able to read the text, I realize it's sideways
- 15 on the banner there in the casket?
- 16 A. It said "Mookie" initially. And then when they started to
- 17 | fold it, now what you can see is "MMP."
- 18 (Video was played but not reported.)

19 **BY MS. HOFFMAN:**

- 20 Q. And now I'm going to play you
- 21 | Government's Exhibit CELL-1-B-1, which I believe you indicated
- 22 is the video with the date of May 15th, 2016.
- 23 (Video was played but not reported.)
- 24 BY MS. HOFFMAN:
- 25 Q. Do you recognize that person, Agent Moore?

- 1 A. That's Mr. Davis.
- 2 BY MS. HOFFMAN:
- 3 Q. And do you recognize the other person in this video?
- 4 A. That's Mr. Bailey.
- 5 Q. I'm going to pull back up Government's Exhibit CELL-1-A
- and scroll down. Do you see where it says "Selected Images" at
- 7 | the bottom?
- 8 A. Yes, ma'am.
- 9 Q. I'm going to go to the next page, Page 4.
- Can you tell us who we're looking at in the top image.
- 11 A. That's Mr. Bailey.
- 12 Q. And what about in the bottom image?
- 13 A. That's Mr. Bailey in the forefront, and it appears to be
- 14 Mr. Banks in the -- the -- far away.
- 15 Q. And do you recognize that location?
- 16 | A. That's -- looks like it's the intersection or right around
- 17 | the intersection of Gwynn Oak and Liberty.
- 18 Q. I'm going to scroll to the next page.
- 19 And who are we looking at in the top photo?
- 20 A. It's Mr. Bailey.
- 21 Q. And do you see the "Selected Search" terms section at the
- 22 | bottom?
- 23 A. Yes, ma'am.
- 24 | Q. Can you tell us what those search terms are.
- 25 **A.** Looks like it's [reading]: Sd9ve extended magazine for

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- 1 | sale. Timonium gun range.
- 2 Thank you.
- 3 [Reading]: AA12 fully automatic shotgun. And blue drop
- 4 heroin.
- 5 Q. I'm going to scroll to Page 6. Do you see the section
- 6 | labeled "Selected SMS and MMS Messages"?
- 7 **A.** Yes.
- 8 Q. Do you see that there's a text from someone else
- 9 referencing Spence here?
- 10 **A.** Yes.
- 11 Q. And then do you see that there's a text here referencing
- 12 Spen and Champagne?
- 13 **A.** Yes.
- 14 Q. Can you read that one for us.
- 15 **A.** [Reading]: Spen asked me to let you know that both he and
- 16 | Champagne are now on 4Q and that he will be looking out for
- 17 Champagne. Heartbeat.
- 18 Q. And then do you see that there's a text here from a
- 19 | contact saved as Murk?
- 20 **A.** Yes.
- 21 **Q.** Can you read that text.
- 22 A. [Reading]: Had Tech on phone.
- 23 **Q.** Is there a Tech who came up in your investigation?
- 24 A. Yes. That's Devon Dent.
- 25 Q. And then do you see down below where it says "Selected

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1 Notes"?

- 2 **A.** Yes.
- 3 Q. I just want to zoom in on Page 7 here. Would you mind
- 4 reading this text here.
- 5 A. [Reading]: Right there in them trenches N's, where them
- 6 N's mob, SP, Fat Tony, Dirt, I'm them N's' boss.
- 7 Q. I'm going to show you Government's Exhibit CELL-13-A,
- 8 | which has been identified as excerpts from the certified
- 9 extraction report for Government's Exhibit CELL-13 which you
- 10 | identified as a cell phone receipt for a cell phone recovered
- 11 | from Tiffany Bailey on May 17th of 2016.
- 12 And would you mind, first, just reading the device number
- 13 up here.
- 14 **A.** Sure. It's (410) 622-0701.
- 15 **Q.** And did you check that number in the extraction report?
- 16 A. I did, and it's correct.
- 17 **Q.** Do you see the very first contact here, Almighty Father?
- 18 **A.** Yes.
- 19 Q. And can you tell us what the number there is.
- 20 **A.** It's (802) 839-8109.
- 21 Q. Is that the same number that we just saw as the device
- 22 | number for Dante Bailey's phone?
- 23 A. Yes, ma'am. Yes, ma'am, it is.
- 24 | Q. And do the -- does the defendant, Dante Bailey, have any
- 25 | children with Tiffany Bailey?

- 1 A. Yes; one of which is named Almighty.
- 2 Q. So Almighty's father is who?
- 3 **A.** Mr. Bailey.
- 4 Q. I'm going to go to Page 2 here.
- Do you see that there's a contact saved as "my husband"?
- 6 A. Yes, ma'am.
- 7 | Q. And who was Tiffany Bailey's husband at this time?
- 8 A. Mr. Bailey.
- 9 Q. And can you read the first number there.
- 10 **A.** (443) 415-9975.
- 11 **Q.** And was that number of significance to your investigation?
- 12 A. Yes, ma'am.
- 13 **Q.** Did you determine who it belonged to?
- 14 A. Mr. Bailey.
- 15 **Q.** And how did you determine that?
- 16 | A. I listened to jail calls going from jail out to that
- 17 number.
- 18 Q. And what did you determine?
- 19 **A.** That the recipient of those jail calls and the user of the
- 20 | phone was Mr. Bailey, based on familiarity with his voice.
- 21 **Q.** And when were those jail calls, approximately?
- 22 A. January, February of 2015.
- 23 | Q. And did you obtain certified records for that phone
- 24 | number, the 9975 number, during your investigation?
- 25 A. Yes, ma'am.

- 1 Q. Do you see that there's a contact here saved as Neezy?
- 2 **A.** Yes.
- 3 Q. And was there a subject of your investigation who went by
- 4 that name?
- 5 A. Yes. It was Davon Temple.
- 6 Q. And what specifically was his nickname?
- 7 | A. It was Nizzy.
- 8 Q. And can you read the phone number listed there.
- 9 **A.** Sure. It's (667) 207-4928.
- 10 Q. And can you remind us, was there a subject of your -- oh,
- 11 I'm sorry. Actually, let me scroll down to Rage.
- Was there a subject of your investigation who went by
- 13 | Rage?
- 14 A. Yes. That's Dominick Wedlock.
- 15 Q. Can you read the first number listed there.
- 16 **A.** (443) 403-9576.
- 17 | Q. And I'm going to pull up what's already come into evidence
- 18 as Government's Exhibit DEM-7.
- 19 Can you read the contact for Bruh Nizz.
- 20 **A.** (667) 207-4928.
- 21 Q. Is that the same number that we saw saved as Neezy in
- 22 | Tiffany Bailey's phone?
- 23 A. Yes, ma'am.
- 24 \ Q. And can you read the contact for Dominick Wedlock,
- 25 a/k/a Nick.

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- 1 **A.** (443) 403-9576.
- 2 Q. Is that the same number saved as Rage in Tiffany Bailey's
- 3 phone?
- 4 **A.** Yes.
- 5 | Q. I'm going to go back to CELL-13-A, and I'm going to go to
- 6 Page 3.
- 7 Do you see this section, "Selected iMessage Chats"?
- 8 **A.** Yes.
- 9 Q. And do you see that there's a chat between the device
- 10 | number and Almighty Father at that 8109 number?
- 11 A. Yes, ma'am.
- 12 Q. And what's the date of this chat?
- 13 **A.** That is May 1st, 2016.
- 14 Q. And I'm going to zoom in here. Can you tell us what it
- 15 says -- can you tell us what we're looking at here.
- Oh, let me move it over for you.
- 17 A. Thanks.
- 18 That is a social media post from the Baltimore Police
- 19 Department with reference to a shooting that occurred on
- 20 May 1st at approximately 2:30 in the morning.
- 21 Q. And did you become aware of a shooting that occurred on
- 22 | that night during your investigation?
- 23 **A.** Yes, ma'am. Taron Thomas, or E-Rock, was shot.
- 24 **Q.** And what general neighborhood was he shot in?
- 25 **A.** In the Gwynn Oak and Liberty neighborhood.

- 1 Q. And do you see that there's a sent text message on May 1st
- 2 of 2016?
- 3 A. Yes, ma'am.
- 4 | Q. And can you tell us what the text of that message is.
- 5 **A.** It says [reading]: Goodnight, dude. Be safe. And see
- 6 you whenever you come home.
- 7 Q. I'm going to scroll to Page 4 of this document. Do you
- 8 | see that there's a chat here with trouble5200?
- 9 **A.** Yes.
- 10 Q. And then do you see that there's a red message from
- 11 May 13th, 2016, that says [reading]: Dirt got booked, question
- 12 mark?
- 13 **A.** Yes.
- 14 Q. And their response is "Yeah"?
- 15 **A.** Uh-huh.
- 16 **Q.** And is this date of significance to your investigation?
- 17 **A.** Yes, it is.
- 18 **Q.** How?
- 19 A. That was the -- that's the date that Mr. Banks got locked
- 20 up by Detective DiPaola.
- 21 Q. So the day after he got --
- 22 **A.** The day after. Excuse me. Yes.
- 23 **Q.** And then do you see that there's texts -- or, I'm sorry, a
- 24 chat message exchange with the contact saved as Missy down here
- 25 (indicating)?

- 1 **A.** Yes.
- 2 Q. Do you see that there's a sent message [reading]: What
- 3 | did he get locked up for?
- 4 A. Yes, ma'am.
- 5 Q. Can you read this exchange for us.
- 6 A. Sure. The sent is [reading]: What did he get locked up
- 7 for?
- 8 The red is [reading]: Drugs.
- 9 The sent after is [reading]: Little or lot.
- 10 And the red is [reading]: He didn't say.
- 11 Q. And then I'm going to scroll down to Page 5.
- 12 And do you see the "Selected Call Log" here?
- 13 **A.** Yes.
- 14 Q. Can you tell us what we're looking at here.
- 15 A. Those are outgoing calls -- outgoing and incoming calls
- 16 | between the device number and the 8109 cell phone.
- 17 | Q. And can you read the date and time of the first -- that
- 18 | first outgoing call, that number.
- 19 **A.** Sure. It's April 28th, 2016, at approximately 10:30 p.m.
- 20 **Q.** And then the next two, do they appear to be
- 21 wolfmobb@iCloud.com?
- 22 **A.** Yes.
- 23 **Q.** And is that the same date?
- 24 A. Yes, ma'am.
- 25 Q. And does that date have any significance to your

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1 investigation?

- 2 A. That date was the date that Anthony Hornes was murdered.
- 3 Q. And then I want to direct your attention to the section
- 4 | called "Selected Web History."
- Do you see the Web history for April 29th at 6:54 a.m.?
- 6 A. Yes, ma'am.
- 7 | Q. And can you tell us what the Web history is there.
- 8 A. Sure. It was searched for "violence in Baltimore" and9 "violence in Baltimore last night."
- 10 Q. I want to ask you about a few more cell phone numbers.
- First, I'm going to ask you about -- I'm going to show you
 what's already come into evidence as CELL-11-A, which was
- identified as excerpts from a certified extraction report for a
- 14 phone recovered from Jamal Lockley on September 27th of 2016.
- Do you see the device number at the top here? Oops. I'm
- 16 sorry. That's the wrong thing.
- 17 This is CELL-11-A.
- Do you see the device number at the top here?
- 19 **A.** Yes, ma'am.
- 20 Q. Can you read that for us.
- 21 **A.** (443) 709-7780.
- 22 Q. Did you check the actual certified extraction report for
- 23 this number?
- 24 A. I did, and it's correct.
- 25 **Q.** And did that number have significance in your

- 1 investigation?
- 2 A. It did. That was Wire Line 3, and it belonged to
- 3 Mr. Lockley.
- 4 Q. And when was the wiretap on that phone?
- 5 A. July and August of 2016.
- 6 Q. And I'm going to show you Government's Exhibit CELL-2-A,
- 7 | which has been identified as excerpts from a certified
- 8 extraction report for a phone recovered from Shakeen Davis on
- 9 April 26th of 2016.
- Do you see that there's a contact here, Tr?
- 11 **A.** Yes.
- 12 Q. And can you read that number there.
- 13 **A.** It's (443) 709-7780.
- 14 Q. And can you remind us what nicknames Jamal Lockley went
- 15 by.
- 16 **A.** T-Roy or Droid.
- 17 | Q. And is that the same phone number that we just saw listed
- 18 as the device number --
- 19 **A.** Yes, ma'am.
- 20 **Q.** -- in CELL-11-A?
- 21 I'm going to show you Government's Exhibit CELL-9-A, which
- 22 | has been identified as excerpts from a certified extraction
- 23 | report for a phone recovered from Dwight Jenkins on
- 24 | September 27th of 2016.
- 25 Do you see the number listed as "Cid 5200" here?

- 1 A. Yes, ma'am.
- 2 Q. And can you tell us what, if any, significance this number
- 3 has.
- 4 A. That's the number that was given by Mr. Frazier to Task
- 5 Force Officer Faller during their attempted drug exchange, and
- 6 | it was also a number that was recovered later.
- 7 Q. Was it the number saved as Jr. Boss in the phone that we
- 8 | just looked at for Dante Bailey?
- 9 A. Yes, ma'am.
- 10 Q. And then do you see the number down here for Trouble5200,
- 11 (443) 600-0131?
- 12 A. Yes, ma'am.
- 13 Q. Is that the same number that was saved as Trouble in
- 14 Dante Bailey's phone?
- 15 **A.** It is.
- 16 Q. And can you remind us what Trouble's real name was.
- 17 A. It's William Banks.
- 18 Q. Was he a confidential informant at one point during your
- 19 investigation?
- 20 A. Yes, ma'am, he was.
- 21 **Q.** And at one point during the investigation, was he given a
- 22 | phone to conduct consensually monitored calls?
- 23 A. Yes, he was.
- 24 \ Q. And do you recall the phone number for that phone?
- 25 **A.** I don't. But if I could reference the consensual wire

```
letter sent to the phone company, it would refresh.
 1
          (Counsel conferred.)
 2
              MS. HOFFMAN: And if I may approach?
 3
              THE COURT:
                          Sure.
 4
 5
     BY MS. HOFFMAN:
 6
     Q.
          (Handing.)
 7
          Thank you.
     Α.
          Does that refresh your recollection as to the phone number
 8
     for the consensually monitored phone?
 9
                The number was (443) 240-6066.
10
     Α.
          Yes.
11
          Did you have occasion to listen to some of Dante Bailey's
     jail calls after he was arrested in May of 2016?
12
13
     Α.
          Yes, ma'am.
          I'm going to play you some calls from
14
15
     Government's Exhibit JAIL-1, which has come into evidence as a
16
     disc of certified jail recordings, starting with
17
     Government's Exhibit J-58, which is at Page 196 of the
18
     transcript binder.
          And could you start, Agent Moore, by telling us the inmate
19
     name, the dialed number, and the date.
20
                 It's Dante Bailey. The dialed number is
21
     Α.
     (410) 565-2183. The date is May 25th, 2016.
22
23
          I'm going to start just by playing the first 12 seconds.
          (Audio was played but not reported.)
24
25
              MS. HOFFMAN: I'm going to skip ahead to 2 minutes and
```

```
17 seconds into the call.
 1
          (Audio was played but not reported.)
 2
     BY MS. HOFFMAN:
 3
          Do you recognize the voices of the participants in the
 4
 5
     call there?
                That's Mr. Bailey and Ms. Bailey.
 6
          Yes.
     Α.
          And was there a subject of your investigation who went by
 7
     Q.
     Syd?
 8
          It's Mr. Frazier.
 9
     Α.
          I'm going to skip ahead to ten minutes and 42 seconds into
10
     the call.
11
          (Audio was played but not reported.)
12
              MS. HOFFMAN: And I'm going to skip ahead to
13
     11 minutes and 31 seconds into the call.
14
15
          (Audio was played but not reported.)
16
     BY MS. HOFFMAN:
17
          And did you hear the reference to Sand in that portion of
18
     the call?
19
         Yes, ma'am.
20
          And who -- did a Sand come up in your investigation?
          It's another nickname for Mr. Banks.
21
     Α.
          And what about Murda?
22
                It's a Yin -- it's one of the nicknames for
23
     Ayinde Deleon.
24
```

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25

I'm going to play Government's Exhibit J-59, which is on

Page 198 of the transcript binder. 1 And can you read the participants and date of this call. 2 It's Dante Bailey. Again, he's calling Sure. 3 Α. Tiffany Bailey at (410) 565-2183. And it's the same date, 4 5 May 25th, 2016. I'm just going to play the first five seconds. 6 (Audio was played but not reported.) 7 MS. HOFFMAN: And now I'm going to skip ahead to 8 11 minutes and 2 seconds, which is on the next page in the 9 transcript binders. 10 11 (Audio was played but not reported.) MS. HOFFMAN: I'm going to stop it there. 12 BY MS. HOFFMAN: 13 Do you recognize the voices of any of the participants in 14 15 this call? 16 Just Dante Bailey. 17 And did you hear when Mr. Bailey said, "I need to holler 18 at Syd"? 19 Α. Yes. 20 Did you hear when he said, "Tell him I said I need that 21 stack"? 22 Yes, ma'am. Α.

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familiar with the term "stack"?

It's --

Yes.

Do you know what the term -- do you know -- are you

23

24

25

Α.

- 1 Q. And what does "stack" usually refer to?
- 2 A. A thousand dollars.
- 3 Q. And then did you hear the reference to Hollywood?
- 4 **A.** Yes.
- 5 | Q. And can you remind us, was there a Hollywood who was the
- 6 | subject of your investigation?
- 7 A. Yes. It's Kevin Forrest.
- 8 Q. I'm going to play Government's Exhibit J-60, which is on
- 9 Page 201 of the jail call tab of the transcript binders.
- 10 And can you tell us the participants and date of this
- 11 | call.
- 12 A. Sure. It's Dante Bailey, calling out to (410) 565-2183,
- 13 | which is Tiffany Bailey, and it's May 29th, 2016.
- 14 MS. HOFFMAN: And I'm just going to play the first
- 15 five seconds here.
- 16 (Audio was played but not reported.)
- 17 BY MS. HOFFMAN:
- 18 Q. And I'm going to skip ahead to 3 minutes and -- I'm sorry.
- 19 I'm going to skip ahead to 7 minutes and 32 seconds.
- 20 (Audio was played but not reported.)
- 21 BY MS. HOFFMAN:
- 22 | Q. Did you hear the reference -- I'm sorry. Did you
- 23 | recognize the participants in that call?
- 24 A. It's Mr. Bailey and Mrs. Bailey.
- 25 | Q. And did you hear Mr. Bailey said, "Call Syd. I need 200

- Case 1:16-cr-00267-LKG Document 1367, Filed 11/21/19 Page 95 of 149 today, not" --1 2 Yes, ma'am. Α. -- "\$200 today now"? 3 4 Α. Yes. 5 I'm going to now play you a call from Government's 6 Exhibit Wire 3. This is going to be TT-3-4106, and the 7 transcript is on Page 121 of the wire call tab. Can you start by reading the line ID here at the top. 8 It's (443) 709-7780. 9 Sure. Α. 10 And which number is that again? Q. 11 That's Jamal Lockley's number. It was our Line 3. Α. And what's the date of this call? 12 Q. 13 Α. The date is 7/29/2016. 14 Q. And who are the participants? 15 Dante Bailey and Jamal Lockley. Α. And it's a lengthy call. I'm going to start at 11 minutes 16 and 10 seconds, which is on Page 130 of the transcript. this is going to be towards the bottom of the transcript on
- 17
- 18
- 19 Page 130.
- 20 (Audio was played but not reported.)

BY MS. HOFFMAN: 21

- Did you recognize the voices of the participants there? 22
- 23 That's Mr. Bailey and Mr. Lockley. Α.
- And did you hear when Mr. Lockley said, "Yeah, like 24
- somebody dialing them up and I think -- I think Eastside"? 25

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- 1 **A.** Yes.
- 2 Q. Is there someone named Eastside who came up in your
- 3 investigation?
- 4 A. That would be Dante Harris.
- 5 Q. And I'm going to show you Government's Exhibit IND-44.
- 6 Who is that?
- 7 A. That's Mr. Harris.
- 8 Q. And I want to direct your attention to July 14th of 2016.
- 9 Did something happen to Dante Harris, or Eastside, on that
- 10 day?
- 11 **A.** Yeah; that's the day he was killed.
- 12 Q. Did you hear when Mr. Bailey in the call said, "Oh,
- 13 | already -- I already -- I already, you mean -- that was already
- 14 | said and done when fat man came home" --
- 15 A. Yes, ma'am.
- 16 **Q.** -- or, I'm sorry, "when fat man was home"?
- 17 **A.** Yes.
- 18 Q. Was there someone who came home from jail recently around
- 19 | the time of the call?
- 20 A. Yes. That was Mr. Banks.
- 21 | Q. And I believe you testified earlier that Mr. Banks was
- 22 | arrested on May 12th of 2016?
- 23 A. Yes, ma'am.
- 24 | Q. And did he get released after that?
- 25 **A.** Yes.

```
Thank you, Agent Moore.
 1
              MS. HOFFMAN:
              I have no further questions.
 2
              THE COURT:
                          Thank you, Ms. Hoffman.
 3
              Ms. Whalen.
 4
 5
              MS. WHALEN: Thank you, Your Honor. Just give me one
 6
     moment.
              THE COURT:
 7
                          Sure.
 8
                             CROSS-EXAMINATION
     BY MS. WHALEN:
 9
10
          Good afternoon, Agent.
     Q.
11
     Α.
          How are you?
12
          Good. Thank you.
          So I'm going to take you back, not to the phone calls, but
13
     to documents that were taken from Prince -- no, Reserve Circle.
14
15
     Α.
          Yes, ma'am.
16
          And do you still have some of them in front of you?
17
          I have the screenplay in front of me.
     Α.
18
          You have the screenplay.
19
     Α.
          Yes, ma'am.
20
          No question in your mind that's a screenplay; right?
          No.
21
     Α.
          And it's about, you know, almost 200 pages, maybe -- maybe
22
23
     less; right?
          Give or take, yes.
24
25
          And throughout the entire document, there will be things
```

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- 1 | like "fade in," "fade out," as if whoever is writing it is --
- 2 is actually, you know, giving a visual of what the screenplay
- 3 | should also depict; correct?
- 4 A. Yes, ma'am.
- 5 **Q.** Okay. And did you read the whole thing?
- 6 **A.** I read through the majority of it, but not -- there was
- 7 parts I skipped when I was just -- it seemed like it was just
- 8 | the narrator's thoughts -- not the narrator's thoughts. Like
- 9 it was his thoughts or just notes to himself.
- 10 Q. So there were multiple pages that said "narrator";
- 11 correct?
- 12 **A.** Yes.
- 13 Q. And that was a character in the screenplay; correct?
- 14 A. Yes, ma'am.
- 15 Q. And then there were pages in which he actually or the --
- 16 | well, pages that you're saying that were not the narrator
- 17 | character but just other writings; correct?
- 18 **A.** Yes.
- 19 Q. Okay. And then there were pages that actually set out
- 20 | text like the words that someone in the screenplay would
- 21 | actually say; right?
- 22 A. Yes, ma'am.
- 23 **Q.** Okay. Multiple characters; right?
- 24 A. Yes, numerous.
- 25 | Q. And you pulled out and showed us what has been marked as

- 1 GP-12-H.
- 2 And just so we can take a quick look. All right. Does
- 3 that look familiar to you?
- 4 A. Yes, ma'am.
- 5 Q. Okay. And up at the very top, there's scenes, Scene
- 6 Number 2, 22, 23, 24, and the like; right?
- 7 A. Yes, ma'am.
- 8 Q. And there are multiple scenes. It goes -- throughout that
- 9 whole screenplay it goes up to maybe 30-some, 40-some scenes;
- 10 is that correct?
- 11 A. That's correct, yeah.
- 12 Q. And there were places where there were inserts, you know,
- perhaps "insert this section here"; is that right?
- 14 A. Yes, ma'am.
- 15 Q. And sometimes there would be, like, three and four
- 16 | inserts; right?
- 17 **A.** Yes.
- 18 Q. As if the person who is writing it is coming up with two,
- 19 | three, four different versions of how the play could come out.
- 20 **A.** Sure.
- 21 Q. Okay. Now, there were numerous character names; right?
- 22 A. Yes, ma'am.
- 23 **Q.** Do you remember how many?
- 24 A. I couldn't tell you, no.
- 25 **Q.** And in this particular exhibit, there is the name Nook;

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1 correct?

- 2 A. Yes, ma'am.
- 3 Q. And there's also down at the bottom Bino; right?
- 4 **A.** Yes.
- 5 | Q. And you know that Bino is not Trouble; right?
- 6 A. Correct.
- 7 Q. Okay. That's Dontray Johnson.
- 8 **A.** Yes.
- 9 Q. And so you know that Trouble, William Banks, is the person
- 10 who shot someone you said has the nickname Snook; right?
- 11 A. Yes, ma'am.
- 12 Q. Okay. So it's not Trouble who, in this rendition -- it's
- 13 | not Trouble that shot Nook; right?
- 14 A. Right. Yes.
- 15 **Q.** And you really don't know if there's a person out there by
- 16 the name of Nook or if that's a whole made-up name; right?
- 17 A. Correct.
- 18 | Q. And it could be a whole made-up individual; right?
- 19 **A.** Sure.
- 20 Q. And throughout the screenplay, Nook is mentioned; right?
- 21 A. Yes, ma'am.
- 22 **Q.** He's a character all throughout; right?
- 23 **A.** Yes.
- 24 Q. So, for instance, Nook is mentioned as being someone who
- 25 | was buying guns at one point during the play?

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- 1 A. I don't recall that, but it's certainly possible.
- 2 Q. Okay. And Nook -- I'm going to show you one page --
- 3 MS. WHALEN: And for the Government, I apologize. We
- 4 | don't have page numbers (handing).
- 5 (Counsel conferred.)
- 6 BY MS. WHALEN:
- 7 | Q. And at the very top, you recall it says "Mistakes &
- 8 Changes"?
- 9 **A.** Yes.
- 10 Q. And this might be one of those things that I was talking
- 11 | about before where, you know, you put -- maybe we'll insert
- 12 this, and maybe we'll insert that?
- 13 **A.** Sure.
- 14 | Q. Okay. And down at the bottom, do you see where -- a scene
- 15 | where Nook is beating an "N" word up and a scene right before
- 16 he gets crushed of him getting some work from another?
- 17 A. Yes, ma'am.
- 18 Q. Again, making something up about a guy named Nook; right?
- 19 **A.** Yes.
- 20 | Q. Okay. And do you remember other places where Nook was
- 21 | mentioned besides this one and then you think it might be
- 22 possible that there was a mention of Nook buying guns?
- 23 A. Yes, ma'am.
- 24 Q. Okay. Numerous references; right?
- 25 **A.** Yes.

- 1 Q. All right. And throughout the book, do you recall that
- 2 he -- or screenplay. I apologize. It's not a book.
- 3 **A.** Sure.
- 4 Q. In the screenplay, do you recall that there were things
- 5 | that were mentioned like extras --
- 6 **A.** Yes.
- 7 **Q.** -- for the screenplay?
- 8 A. Yes, ma'am.
- 9 Q. And there were actually places that said Scene 1 or 2 or
- 10 | 3; is that right?
- 11 A. Uh-huh. Yes.
- 12 Q. All right. And then later you -- or earlier today you
- 13 | showed us a book that had -- or a cover of the book that's
- 14 | Frienemies; right?
- 15 A. Yes, ma'am.
- 16 Q. Okay. You're familiar with urban fiction; right?
- 17 **A.** No.
- 18 **Q.** Okay. Have you ever read an urban fiction book?
- 19 **A.** No.
- 20 Q. Okay. Did you get the Frienemies book and read it?
- 21 | A. I did not, no.
- 22 Q. In the screenplay, besides things like, you know, drug
- 23 | dealing and that kind of thing that's actually listed in the
- 24 | screenplay, there were other things that were like violent
- 25 | acts; right?

- 1 A. Yes, ma'am.
- 2 Q. Okay. And you highlighted only one that had Nook; right?
- 3 A. Correct.
- 4 Q. Okay. Did you determine whether an individual named Nook
- 5 | was actually shot at the Mirage club?
- 6 **A.** No.
- 7 Q. The Frienemies book, did you ever find the content of the
- 8 book?
- 9 **A.** I have not, no.
- 10 Q. Okay. And you also showed us a letter, and the letter
- 11 | referenced -- it was a letter to Mr. Bailey found at the
- 12 Reserve Circle address; right?
- 13 A. Yes, ma'am.
- 14 Q. And it referenced books; right?
- 15 **A.** Yes.
- 16 | Q. And it referenced that the -- whoever wrote the letter was
- 17 | going to feature Mr. Bailey in a book --
- 18 A. Correct.
- 19 **Q.** -- right?
- Okay. And in the screenplay, are there sex scenes, too?
- 21 **A.** Yes.
- 22 MS. WHALEN: Would the Court indulge me just one
- 23 moment.
- 24 BY MS. WHALEN:
- 25 Q. And so it's clear, all of these people that -- well,

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```
strike that.
 1
          Many of these people that you just identified, phone
 2
     numbers and names, are people that you learned were going to
 3
     the recording studio and performing; right?
 4
 5
          Some of them, yes, certainly.
     Α.
 6
     Q.
          Blizz was one?
 7
         Yes.
     Α.
                Yep.
          Okay. And Spotty was one; right?
 8
          I don't know about him.
 9
     Α.
10
          Okay. And some of the others that were recording, can you
11
     give us those names.
          Mr. Lockley and Mr. Davis. There's a number of others.
12
13
     Mr. Patterson. I don't know if he's -- Konan is what they call
     him.
         And --
14
15
          Mr. Banks?
     Q.
16
          Yes, Mr. Banks, yes.
          And anybody else you can think of right now?
17
     Q.
18
          Not off the top of my head.
     Α.
19
              MS. WHALEN: Thank you, Agent.
20
              That's all I have, Your Honor.
21
              THE COURT: Thank you, Ms. Whalen.
22
              MR. HAZLEHURST: Your Honor, I was just asking
23
     Mr. Enzinna for something.
                         Okay. Mr. Sardelli.
24
              THE COURT:
25
              MR. SARDELLI:
                             Thank you, Your Honor.
```

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1 CROSS-EXAMINATION BY MR. SARDELLI: 2 Good afternoon, sir. 3 Q. Sir. 4 Α. 5 Approximately how many calls were intercepted or texts Q. intercepted during the course of your investigation overall on 6 7 the multiple wires that you guys did? Thousands. 8 Α. Thousands. 9 Okay. Q. And concentrating your testimony here today, you didn't 10 11 testify about any calls to or from Mr. Banks; correct? No, sir. 12 Α. 13 Now, you testified about jail calls as well; correct? Yes, sir. 14 Α. 15 Have you ever gone to the actual facilities and compared 16 the copies of the calls that you received to the originals 17 there to make sure they're accurate? 18 No, sir. Α. Are you aware of other Dirts, such as Darnell Ricardo 19 20 Wornell (ph) or an Etrece (ph) that live near Liberty Heights 21 and Gwynn Oak? 22 No, sir. Α. 23 MR. SARDELLI: All right. No other questions, Your Honor. 24 25 THE COURT: Thank you.

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1 Mr. Trainor.

2 CROSS-EXAMINATION

- 3 BY MR. TRAINOR:
- 4 Q. Good afternoon.
- 5 **A.** Sir.
- 6 Q. You have testified several times about voice recognition,
- 7 | and just to be clear, the voices you identified are identified
- 8 as a matter of opinion based on your investigation; right?
- 9 A. Yes. That's my opinion, yes, sir.
- 10 Q. All right. And some of the voices you have indicated you
- 11 | can't identify, and they're listed as unknown male or unknown
- 12 female?
- 13 **A.** Yes, sir.
- 14 Q. All right. Now, CELL-1-A is a phone that you seized from
- 15 Mr. Bailey?
- 16 **A.** Yes, sir.
- 17 Q. And CELL-13-A is a phone that you seized from
- 18 | Tiffany Bailey; correct?
- 19 **A.** Yes.
- 20 Q. Which is Mr. Bailey's wife?
- 21 A. That's correct.
- 22 Q. Now, the voice that, in your opinion, you've linked to
- 23 | Mr. Lockley was picked up on (443) 709-7780; correct?
- 24 **A.** Yes, sir.
- 25 | Q. When we look at the contacts in CELL-1-A, which is linked

```
to Dante Bailey, we see listings for Droid and T-Roy with
 1
     completely different numbers?
 2
          Yes.
 3
     Α.
          You don't see (443) 709-7780 listed under either of those
 4
 5
     nicknames, do you?
 6
     A.
          No, you don't.
 7
          And the same in CELL-13-A, which belongs to
     Q.
     Tiffany Bailey, if you look at her contents, she has a listing
 8
     for Droid and another listing for T-Roy with numbers that are
 9
     completely different than (443) 709-7780.
10
11
     A.
          Yes, sir.
          In fact, that number ending in 7780 is not listed in any
12
     of the contacts for Dante Bailey or Tiffany Bailey, is it?
13
          I believe that's correct, yes.
14
     A.
15
              MR. TRAINOR: All right. Thank you.
16
              No further questions.
17
              THE COURT:
                          Ms. Amato.
18
                                 Thank you.
              MS. AMATO: Yes.
19
          (Counsel conferred.)
20
                             CROSS-EXAMINATION
21
     BY MS. AMATO:
          Good afternoon.
22
     Q.
23
          Ma'am.
     Α.
          (Counsel conferred.)
24
25
     BY MS. AMATO:
```

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- 1 Q. All right. Agent Moore, you were asked some questions
- 2 while you were going through the script that you had seized,
- and nowhere in that script of what you were shown today is the
- 4 | name Corloyd Anderson written?
- 5 A. That's correct.
- 6 Q. And you -- when you were asked questions by Ms. Whalen
- 7 | about whether or not you had read the whole script, you said
- 8 you read the majority of the script?
- 9 A. Yes, ma'am.
- 10 Q. And nowhere in the majority of that script that you read
- 11 is the name Corloyd Anderson?
- 12 A. That's correct.
- 13 Q. So when you, on direct examination, threw in the name
- 14 | Corloyd Anderson, that was -- your throwing that in, that was
- 15 | not something that was read in that script?
- 16 **A.** That's correct.
- 17 **Q.** Now, you were asked to a watch a video, SM-6-C.
- 18 MS. AMATO: And I'll ask if Government counsel could
- 19 just play that video for us again.
- 20 (Video was played but not reported.)
- 21 **THE COURT:** Is there something else?
- 22 MS. AMATO: I pressed something by mistake.
- 23 BY MS. AMATO:
- 24 Q. You were asked to watch this video of Mr. Anderson playing
- 25 cards with Mr. Bailey?

- 1 A. Yes, ma'am.
- 2 Q. And you were asked to identify something on the table
- 3 besides the cards that they were playing?
- 4 A. Yes, ma'am.
- 5 | Q. And you said that those were cell phones?
- 6 A. Correct.
- 7 **Q.** And how many cell phones?
- 8 A. It appeared four by my count.
- 9 **Q.** Four.
- 10 MS. AMATO: Would you mind playing again.
- 11 (Counsel conferred.)
- 12 (Video was played but not reported.)
- 13 **BY MS. AMATO:**
- 14 Q. You would agree with me that there's only two cell phones
- 15 that we see?
- 16 **A.** It appears that there's -- one, two right there that are
- in between the water bottles, and it appears there's two more
- 18 | behind those two.
- 19 Q. Well, one of those is actually a cordless phone.
- 20 A. Sure, if you say so.
- 21 Q. Well, I don't know if this is -- can you see this where
- 22 I'm circling (indicating)?
- 23 **A.** Yes.
- 24 | Q. Okay. Let me try to -- right here (indicating). Do you
- 25 | see that it's a cordless phone now?

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- 1 A. I'm not sure that I agree that it's a cordless phone.
- 2 Q. All right. Were you -- and do you know where this was
- 3 taken?
- 4 A. No, I don't.
- 5 | Q. All right. Are you familiar with the search of
- 6 Mr. Anderson's business?
- 7 **A.** Yes.
- 8 Q. All right. And you know that law enforcement took
- 9 | photographs --
- 10 **A.** Yes.
- 11 **Q.** -- of the business?
- 12 And that you've seen those photographs?
- 13 A. Yes, ma'am.
- 14 | Q. Okay. And I'd like to show you what I'm going to mark as
- 15 Defense Exhibit No. 3.
- 16 You recognize this as a photograph from the business
- 17 We Cater to You Motors of Mr. Anderson; correct?
- 18 **A.** Yes.
- 19 Q. All right. And you see that there is a phone there, a
- 20 | cordless phone; correct?
- 21 A. Yes, ma'am.
- 22 Q. And in this video, we have two people; correct?
- 23 A. Correct.
- 24 | Q. All right. Now, you were also shown an exhibit pertaining
- 25 to a phone extraction from Mr. Bailey?

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- 1 A. Correct.
- 2 Q. And that was Government's Exhibit CELL-1-A.
- And there was a list of contacts on that first page; do
- 4 you recall seeing that?
- 5 A. Correct.
- 6 Q. All right. And there was a contact in the top which was a
- 7 B, space, O and then there were three numbers there; correct?
- 8 A. Yes, ma'am.
- 9 Q. All right. And based on your investigation, none of those
- 10 | numbers came up as being connected to Mr. Anderson.
- 11 | A. I don't believe so, no.
- 12 Q. And those same three numbers were actually listed on
- 13 Government's CELL-13-A, which was identified as a phone
- 14 | connected to Tiffany Bailey?
- 15 A. Yes, ma'am.
- 16 Q. And those same three phone numbers were listed under a B,
- 17 | space, O, space; correct?
- 18 A. I believe that's correct, yes.
- 19 | Q. Okay. And you did become familiar with a phone number
- 20 | connected to Mr. Anderson; correct?
- 21 **A.** Yes.
- 22 | Q. All right. And was that the business phone number or a
- 23 | cell phone number?
- 24 A. Cell phone.
- 25 | Q. Okay. And that was definitely not one of those three

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```
numbers that are listed on that list?
 1
 2
          No, ma'am.
     Α.
              MS. AMATO: I have no further contacts -- no further
 3
     questions.
 4
 5
              Thank you.
              THE COURT: All right. Thank you.
 6
              Mr. Hazlehurst.
 7
              MR. HAZLEHURST: Thank you, Your Honor.
 8
 9
                             CROSS-EXAMINATION
     BY MR. HAZLEHURST:
10
11
     Q.
          Good afternoon, Agent Moore.
          Sir.
12
     Α.
13
          I think we met before, but, again, I'm Paul Hazlehurst.
     represent Shakeen Davis (indicating).
14
15
          You've been asked numerous questions today by Government
16
     counsel about some cell phone excerpts; is that correct?
17
          Yes, sir.
     Α.
18
          And you didn't prepare those excerpts, did you?
          No, I did not.
19
     Α.
20
          But you are one of the case agents in this case?
21
          Correct.
     Α.
22
          And you are familiar with those excerpts; correct?
23
          Yes.
     Α.
          And those excerpts were prepared in mind to try and
24
25
     discover or highlight what the Government believes is relevant
```

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- 1 | evidence in regard to this case; correct?
- 2 A. Correct.
- 3 Q. Evidence that would tend to incriminate the defendants in
- 4 | regard to participation in the racketeering conspiracy;
- 5 correct?
- 6 A. Correct.
- 7 Q. And those excerpts were not prepared in conjunction with
- 8 the defendants, were they?
- 9 **A.** No.
- 10 Q. And they were not prepared in conjunction with defense
- 11 counsel?
- 12 A. Correct.
- 13 Q. Now, you were asked in particular about, in regard to
- 14 Mr. Davis, three cell phone excerpts. And one of them was
- 15 | cell phone or CELL-1-A.
- Do you see that on the screen in front of you, sir?
- 17 **A.** Yes, sir.
- 18 | Q. And there were two numbers that were identified, and I've
- 19 | highlighted them for you. One is Cream, and it's
- 20 (443) 714-0982; is that correct?
- 21 **A.** Yes, sir.
- 22 Q. Second one is Creamz, C-R-E-A-M-Z, and it has
- 23 (571) 342-8804; is that correct?
- 24 **A.** Yes.
- 25 Q. And in particular, Government counsel asked you about the

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- 1 | number ending in 0982; correct?
- 2 A. That's correct.
- 3 Q. And this document is, I believe, if I'm not mistaken,
- 4 looking at the last page -- I don't know what happened there --
- 5 | seven pages long; correct?
- 6 **A.** Yes.
- 7 **Q.** And you have reviewed this excerpt; correct?
- 8 A. Yes.
- 9 Q. And it is correct that the number ending in 0982, there
- 10 are no texts sent to or received from that number in this
- 11 | excerpt; correct?
- 12 A. I don't believe so, no.
- 13 | Q. Okay. And the number ending in 8804, same thing; right?
- 14 **A.** Yes.
- 15 | Q. Now, you were also asked about another excerpt. This was
- 16 | a cell phone that was recovered, I believe, from
- 17 | Tiffany Bailey, CELL-13-A; is that correct?
- 18 **A.** Yes.
- 19 **Q.** Let me know when that clears up for you.
- 20 **A.** There you go.
- 21 Q. Hoping it wasn't my eyes.
- 22 And there was a number highlighted by Government counsel
- 23 | which -- for Cream, which is, again, (443) 714-0982; correct?
- 24 A. That's correct.
- 25 | Q. And that cell phone was recovered on May -- May 16th or

- 1 | 17th of 2016; correct?
- 2 A. 17, yes, sir.
- 3 Q. Okay. During the execution of a search warrant?
- 4 A. Correct.
- 5 Q. As was the cell phone that is the subject of CELL-1-A;
- 6 correct?
- 7 **A.** Yes, sir.
- 8 Q. And, again, you didn't prepare this excerpt, did you?
- 9 A. No, I did not.
- 10 Q. But you are familiar with it?
- 11 **A.** Yes.
- 12 | Q. And you made sure you're familiar with it because you're
- 13 testifying about it today?
- 14 A. Correct.
- 15 Q. And it would be correct, again, to say that in this
- 16 excerpt, which I believe is five pages long -- look at the last
- 17 page here. Does that sound correct to you?
- 18 **A.** Yes, sir.
- 19 Q. There are no text messages either received or sent from
- 20 | that number that is identified with Cream ending in 0982?
- 21 A. I believe that's correct, yes.
- 22 **Q.** Finally, with regard to this, you were also asked
- 23 | questions about an exhibit, Government Exhibit CELL-2-A.
- Do you see that on the screen in front of you?
- 25 **A.** Yes, sir.

- 1 Q. Okay. And in this case, this is a cell phone that was
- 2 recovered from Mr. Davis on April 26th, 2016; correct?
- 3 **A.** That's correct.
- 4 | Q. And the Government counsel asked you in particular about a
- 5 | selected contact Tr; correct?
- 6 **A.** Yes.
- 7 Q. With the telephone number (443) 709-7780; correct?
- 8 A. Yes, sir.
- 9 Q. And you identified that as something that you had
- 10 | identified connected to Mr. Lockley; correct?
- 11 A. That's correct.
- 12 Q. Now, again, you didn't prepare this excerpt, did you?
- 13 **A.** No, sir.
- 14 Q. But you are familiar with it?
- 15 **A.** Yes, sir.
- 16 Q. You made yourself familiar with it at least in
- 17 | anticipation of testifying today; correct?
- 18 | A. Correct.
- 19 **Q.** And this excerpt is 18 pages long; correct?
- 20 **A.** Yes.
- 21 Q. And, again, it is correct to say that there are no
- 22 | text messages either from or to that number associated with Tr
- 23 | in this excerpt; correct?
- 24 A. I believe that's correct, yes.
- 25 | Q. One last point. You were also asked questions in regard

- 1 to an exhibit labeled CELL-1-B-1.
- 2 Do you remember that?
- 3 A. Yes, sir.
- 4 Q. Do you have those straight in your head?
- 5 **A.** No, sir. But, yes, I --
- 6 Q. You're a better man than I if you are.
- 7 And that was a short video; correct?
- 8 A. Yes.
- 9 Q. Okay. And it was a short video that began with a shot of
- 10 Mr. Bailey; correct?
- 11 **A.** Yes.
- 12 Q. And there was music playing in the background.
- 13 A. Correct.
- 14 Q. And then there was another depiction of someone you
- 15 | identified as Mr. Davis; correct?
- 16 **A.** Yes, sir.
- 17 | Q. And you observed that video, I'm sure, before today?
- 18 | A. Correct.
- 19 | Q. You observed it again today?
- 20 **A.** Yes.
- 21 Q. And, again, it would be safe to say that in that video,
- 22 | Mr. Davis appears to either be singing along or rapping along
- 23 | with the music; would that be correct?
- 24 **A.** Yes, sir.
- MR. HAZLEHURST: No further questions, Your Honor.

```
1
              THE COURT:
                          All right. Thank you.
 2
              Mr. Davis.
                                 Briefly, Your Honor.
              MR. DAVIS:
                         Sure.
 3
              I'm going to need the HDMI cord for a moment.
 4
 5
                             CROSS-EXAMINATION
     BY MR. DAVIS:
 6
          Agent Bailey [sic], you identified relevant portions of
 7
     Dante Bailey's contact list and also Tiffany Bailey's contact
 8
     list.
 9
          Yes, sir.
10
     Α.
11
          Now, I've just put up on the screen -- if I can figure out
     how to move it here -- Tiffany Bailey's list, which was
12
     CELL-13-A.
13
          Directing your attention to the second page, the
14
15
     highlighted portion that appears on that page, that says Syd;
16
     correct?
17
          Yes, sir.
     Α.
18
          Now, how many Syds are you familiar with in this
19
     investigation other than Sydni Frazier?
20
          Just Sydni Frazier.
     A.
21
          And that number is different than the numbers that were in
     Q.
22
     Dante Bailey's contact list; correct?
23
          That's correct, yes.
              MR. DAVIS: And can we switch to the ELMO.
24
     BY MR. DAVIS:
25
```

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And you testified about a number of jail calls that went 1 Q. from the transcripts, and I'm putting up JAIL-60-T. 2 Now, all those calls were in May of 2016, the ones 3 involving Sydni Frazier; correct? 4 5 Yes, sir. A. And in particular, this one, 60-T, you've identified the 6 7 voice as being the voice of Dante Bailey; correct? That's correct. 8 Α. And he asks [reading]: Hey, call Syd. 9 Q. Correct? 10 11 A. Correct. He doesn't say, Hey, call Jr. Boss. 12 13 He says, Hey, call Syd. 14 Α. Correct. 15 And he says [reading]: Tell him I need \$200 today. 16 don't need nothing else from him. 17 Correct? That's correct. 18 Α. And what's going on is Mr. Bailey's calling a number of 19 20 people because he's in jail when he's making these calls; 21 right?

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So we can only guess what he's asking people for nickels

22

23

24

25

Α.

Α.

That's correct.

and dimes for; correct?

Sure.

- 1 Q. And you testified about that screenplay and a number of
- 2 documents that were recovered from Mr. Bailey's house.
 - A. Yes, sir.
- 4 Q. Now, there's no Syd in the screenplay list of characters,
- 5 | is there?

3

7

8

9

10

- 6 A. Not to my recollection, no.
 - MR. DAVIS: I have no further questions.
 - THE COURT: Okay. Any redirect, Ms. Hoffman?
 - MS. HOFFMAN: Just very briefly.

REDIRECT EXAMINATION

- 11 BY MS. HOFFMAN:
- 12 Q. Agent Moore, you were asked about the jail calls that we
- 13 listened to and whether you compared them to the originals.
- 14 Were the jail calls listened to certified business
- 15 records?
- 16 A. Yes, they were.
- 17 Q. And you were also asked about CELL-1-A and CELL-13-A.
- Can you remind us when those phones were seized.
- 19 A. They -- well, CELL-1-A was seized and searched pursuant to
- 20 | a search warrant from May 17th, the date it was seized.
- 21 And CELL-13 was searched pursuant to consent. It was
- 22 | recovered the same day.
- 23 | Q. And when was the wiretap on Jamal Lockley's 7780 number?
- 24 | A. July and August of 2016.
- 25 Q. Have you -- in your experience as a Special Agent with

- 1 ATF, have you been involved in investigations into
- 2 drug-trafficking organizations?
- 3 A. Quite a few.
- 4 Q. Approximately how many?
- 5 A. I've -- like -- more than I can count.
- 6 Q. And based on your experience in investigating
- 7 drug-trafficking organizations, is it common or uncommon for
- 8 those involved in distributing drugs to have more than one
- 9 cell phone?
- 10 A. It's incredibly common.
- 11 Q. Can you explain.
- 12 A. Drug traffickers will typically switch their phones up as
- 13 | frequently as they can -- many as frequently as they can
- 14 afford, because they purposely do it to avoid detection by
- 15 law enforcement.
- 16 Q. And you were asked some questions about additional
- 17 | cell phone excerpts that we talked about today.
- 18 And is it your understanding that those are just excerpts
- 19 | from the extraction reports?
- 20 **A.** Yes.
- 21 Q. Now, is there additional data in the extraction reports
- 22 | that doesn't appear in those excerpts?
- 23 **A.** Quite a bit, for some of them, yes.
- MS. HOFFMAN: No further questions.
- 25 **THE COURT:** Okay. Anything else?

```
1
          (No response.)
 2
              THE COURT: All right. Thank you, sir.
              THE WITNESS: Thank you, ma'am.
 3
              THE COURT: You can step down.
 4
 5
          (Witness excused.)
              THE COURT: Can I see counsel at the bench just
 6
     briefly.
 7
          (Bench conference on the record:
 8
              THE COURT: We are stopping at 1:00 today. Unless you
 9
     had a short witness that you wanted to get on and off.
10
              MS. HOFFMAN: We have a Homicide detective.
11
                                                            I don't
     think he'd be able to finish by 1:00, but we can start him, if
12
13
     you'd like.
              THE COURT: Okay. Any problem?
14
15
              MS. AMATO:
                          No.)
16
          (Bench conference concluded.)
17
              THE COURT: If the Government would like to call
     another witness.
18
              MS. HOFFMAN: Government calls Gary Niedermeier.
19
              MR. TRAINOR: Your Honor, may we approach, please?
20
21
              THE COURT:
                          Okay.
          (Bench conference on the record:
22
              MR. TRAINOR: My client has just informed me that he's
23
     in some physical distress and needs to use the bathroom
24
25
     immediately.
```

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```
Then I think in that case, we might
 1
              THE COURT:
                          Okay.
     as well recess for today. And I'll tell the jury that we're on
 2
     Tuesday and Thursday.
 3
              MR. TRAINOR:
                            Thank you.)
 4
 5
          (Bench conference concluded.)
              THE COURT: All right. So, ladies and gentlemen, it
 6
 7
     appears that there's a need for a break.
              We're pretty close to 1 o'clock anyway.
 8
              As I told you that today is only a half day until
 9
     1 o'clock, so we're going to adjourn for today.
10
11
              But to update you on the schedule, you'll remember we
     were going to be here for a full day tomorrow and I was not
12
13
     sure about Thursday.
              The other judge's chambers involved has been able to
14
15
     rearrange some things, so we will be sitting on Thursday.
16
              So I'll see you tomorrow, Tuesday, and then again
     Thursday, but not Wednesday and Friday of this week.
17
              So thank you very much. You can leave your notes
18
19
     here.
20
              Keep an open mind. Don't talk about the case.
              10 o'clock. We'll see you at 10 o'clock tomorrow
21
22
     morning, Tuesday. Thank you.
23
          (Jury excused at 12:48 p.m.)
              THE COURT: All right. And we'll excuse the gallery.
24
25
          (Pause.)
```

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THE COURT: All right. We'll recess until tomorrow
morning at 10 o'clock.
(Court adjourned at 12:50 p.m.)
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I, Douglas J. Zweizig, RDR, CRR, do hereby certify that
the foregoing is a correct transcript from the stenographic
record of proceedings in the above-entitled matter.
/s/
Douglas J. Zweizig, RDR, CRR, FCRR
Registered Diplomate Reporter Certified Realtime Reporter
Federal Official Court Reporter DATE: November 14, 2019
DATE: NOVELIDET 14, 2019

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